

06.05.2025

Item No.13

Ct. No.35

dc.

W.P.A. 8629 of 2025

Nur Islam Sk

versus

The State of West Bengal & Ors.

Mr. Manas Kumar Das,
Mr. Mobaidur Hossain ... For the Petitioner.

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel,
Mr. Debangshu Dinda ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that his representation dated 12.03.2025 was not considered by the Officer-in-Charge, Nowda Police Station in spite of status quo order passed in Partition Suit No. 329 of 2022 wherein the learned Civil Judge (Sr. Division), 1st Court, Berhampore, Murshidabad was pleased to direct that the nature and character of the suit property should not be changed and also restrained from raising any construction on the suit property referred to. The petitioner is aggrieved because, according to him, the private respondents are raising construction and the police authorities on being informed are not responding to the same.

In view of the civil court already in seisin of the issue, the petitioner would seek for rendering police assistance from the civil court. In case the civil court passes any direction upon the police authorities, the police authorities would respect, obey and implement such order. In the meantime, the police authorities would ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 8629 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)