

D/L 71
06.05.2025
Bpg.
ct.no.35

W.P.A.9260 of 2025

Sridam Dolui
Versus
The State of West Bengal & Ors.

Ms. Ipsita Ghosh.
...for the petitioner.

Mr. Asish Kumar Guha
Mr. Benazir Ahmed.
...for the State-respondents.

Mr. Tanmoy Chowdhury
Ms. Ritoprita Ghosh.
...for the respondent nos.5 to 10.

Affidavit-of-service filed by the petitioners be
kept with the record.

Petitioner complains that a partition suit is
pending wherein ad interim order has been passed by
the learned Civil Judge (Junior Division), 2nd Court,
Uluberia, Howrah being T.S. No.166 of 2025. There
has been direction by the learned civil court upon the
Inspector-in-Charge, Bagnan Police Station, yet the
petitioner contends that the private respondents have
been carrying out illegal construction by violating the
order of the civil court. Petitioner informed the police
authorities, however, the police authorities did not
take any steps.

State has submitted a report. Report reflects that the police authorities have already registered Bagnan Police Station Case No.254 of 2025 dated 29.04.2025 under the relevant provisions of BNS.

Learned advocate for the respondent nos.5 to 10 submits that construction is going on but in the unsuited property.

Having considered that the police authorities have already registered a case and the private respondents admit that construction is in progress, police authorities would ensure that the order of the civil court is respected, obeyed and implemented so far as suit property is concerned. In case any inconvenience is faced by the police authorities, they would inform the learned Civil Judge in seisin of the issue. Police authorities would also ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 9260 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

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

(Tirthankar Ghosh, J.)