

Sl.No. 05.02.2025
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Court
No. 35
G.S.Das

WPA 10459 of 2024

Biswanath Ghosh Kole
-Vs-
State of West Bengal & Ors.

Mr. Manoranjan Mahata
Mr. Ziaul Haque
Mr. Amit Bikram Mahata
... for the petitioner(s)
Mr. K. J. Yusuf, Id. AGP
Mr. Kazi Sajjad Alam
... for the State-respondent(s)

Affidavit-of-service so filed be kept
with the record.

The main grievance of the
petitioner is that in spite of there being
an injunction order of the Civil Court, the
private respondents are changing the
nature and character of the property.

State has submitted a report
which reflects that the police authorities
have already registered a case being
Narayanpur P.S. Charge Sheet No. 61 of
2024 dated 30.04.2024.

Having considered that the police

authorities have acted on the excesses inflicted on the petitioner, I am of the view that further interference on the police authorities are unwarranted until and unless specific direction(s) is passed from the learned Civil Court which is *in seisin* of the matter.

The right, title and interest of a property are the exclusive domain of the learned Civil Court. It would be the learned civil court which would provide any efficacious remedy available under the law.

The police authorities should keep a strict vigil and ensure that no breach of peace and tranquility takes place because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 10459 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Let a copy of the report be handed over to the learned advocate for the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)