

15.05.2025
Item No.238
Ct. No.35
dc.

W.P.A. 10076 of 2025

**Sekh Ibrahim @ Md. Ibrahim
versus
The State of West Bengal & Ors.**

Mr. Arunava Ganguly ... For the Petitioner.

Mr. Somnath Ganguli, AGP,
Ms. Rupsha Chakraborty ... 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 the representation furnished with the Officer-in-Charge, Pandua Police Station on or about 25.04.2025 has not been acted upon. The petitioner contends that there was a direction by the learned Civil Judge (Junior Division), 2nd Court, Hooghly in connection with Title Suit No. 82 of 2010. The petitioner claims that the police authorities did not demolish the property as directed.

State has submitted a report which reflects that steps have been taken by the police authorities. However, none of the orders of the civil court directs for demolition of the property at the

behest of the police authorities. The duty of the police authorities is to render assistance. The initial order of injunction was a status quo with respect to the nature, character, ownership and possession of the schedule property referred to in the plaint. Police authorities would ensure that the said order of status quo is maintained.

It is submitted on behalf of the State that police authorities have served notice upon the private respondents for stopping the construction. Necessary proceedings under Sections 126/135 of BNSS have been drawn up. Having regard to the same, I am of the view that at this stage, police authorities have adhered to the directions passed by the civil court. Since a proceeding has already been drawn up under Sections 126/135 of BNSS, police authorities would oversee that no further untoward incident or any violation of the directions of the civil court takes place.

With the aforesaid observations, the writ petition being WPA 10076 of 2025 is disposed of.

Pending connected application, if any, is consequently 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.)