

22.07.2025
Item No.825
Ct. No.35
dc.

W.P.A. 11285 of 2024

**Faroj Ali Mondal
versus
The State of West Bengal & Ors.**

Mr. Debabrata Ray,
Ms. Karabi Roy,
Mr. Soumik Mondal,
Ms. Sarbani Mukhopadhyay ... For the Petitioner.

Mr. Ansar Mandal, AGP,
Ms. Somashree Dey ... For the State.

Mr. Soumyadeep Biswas
... For the Respondent Nos.5, 6 & 7.

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 advocates appearing for the petitioner and the private respondent nos. 5, 6 and 7.

The petitioner is aggrieved by the fact that in spite of directions being made absolute in connection with Title Suit No. 385 of 2021, the private respondents have been interfering with the peaceful enjoyment of the property of the petitioner and it is further submitted that the petitioner being an octogenarian is facing insecurity because of the aggression and adamant attitude of the private respondents. There are also allegations of the

harvested crops being taken away as well as the changing the nature and character of the property.

State has submitted a report which reflects that till date there has been no change of nature and character of the property. However, as the petitioner is a sharecropper and there is a direction of the civil court, I am of the view that the police authorities would ensure that the order of the civil court, until and unless it is altered by a higher forum, is respected and obeyed. At the relevant point of time when there was a dispute, police authorities have drawn up proceedings under Sections 107/116(3) of the Code of Criminal Procedure. Police authorities would continue the surveillance, if required.

The information which was lastly submitted with the police authorities was on 30.03.2024. If the petitioner is faced with fresh inconveniences, he would inform the police station. Police authorities would oversee that the civil court's order is not violated by any of the parties.

With the aforesaid observations, the writ petition being WPA 11285 of 2024 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.)