

23.06.2025
Item No.25
Ct. No.35
dc.

W.P.A. 11420 of 2025

Rinku Sharma
versus
The State of West Bengal & Ors.

Mr. Rohit Kumar Shaw,
Ms. Manasi Das ... For the Petitioner.

Ms. Sonal Sinha,
Mr. Saptak Sanyal,
Ms. Shabnam Farooqui ... 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.

The petitioner is aggrieved as the petitioner complains that wall of her toilet is adjacent to the common path and there has been illegal interference of the private respondents as also other influential persons and she is unable to repair the same; as a result of which there has been leakage in the drainage system.

State has submitted a report which reflects that police authorities are in knowhow of the issues, but there is a civil suit pending being T.S. No. 283 of 2021 wherein a status quo order has been passed in respect of nature, character and possession of the suit property. Petitioner has also approached the Executive Magistrate, Barrackpore, North 24-Parganas under Section 163(2) of the BNSS. The Executive Magistrate has also directed to comply with the order passed by learned

Civil Judge (Jr. Division), 2nd Court, Barrackpore. Having regard to the fact that a status quo order is existing, police authorities definitely would not be in a position to override the orders of the learned Civil Judge in seisin of Title Suit No. 283 of 2021. The police report also reflects that there are number of criminal cases *inter se* between the parties. Having considered the purpose for which the present writ petition has been preferred, the same is absolutely a civil dispute. Consequently no interference is called for.

The police authorities would keep a strict vigil and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the disputes and differences between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 11420 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.)