

28.10.2025
rc/ct.no.34
Item No.24

WPA No. 13596 of 2024
Safikul Islam
Versus
The State of West Bengal & Ors.

Mr. Soumojit Das Mahapatra
Mr. Golam Nure Imrohi ..for the Petitioner

Mr. Ansar Mondal
Mr. Asish Dutta ... for the State

Mr. Kingsuk Mondal ... for the Private Respondent

Report submitted by the State are taken on record.

Heard learned counsels for the parties.

The petitioner claims to be the owner of the shop room in question and alleges that the private respondents have forcibly occupied the same by breaking the padlock therein and have damaged/destroyed the belongings of the petitioner therein. The petitioner seeks protection of his life and property.

Learned counsel for the private respondents submits that the petitioner filed a title suit before the learned Civil Court claiming his rights over the property. Prayer for injunction made by the petitioner therein has been refused by the learned trial Court. The private opposite parties are in possession of the shop room all throughout.

I have considered the rival submissions of the parties. Pendency of the title suit has been suppressed by the petitioner before this Court which in itself is good

ground for refusal of relief to the petitioner herein. Dispute between the parties is civil in nature. The petitioner has taken appropriate steps before the Civil Court in this regard.

It appears that by an order passed on July 08, 2022 in WPA No. 10561 of 2022, a coordinate Bench of this Court recorded that the police authorities are duty bound to ensure that the law and order is maintained and the respondent nos. 8 and 9 therein do not commit any nuisance or damage to the property of the petitioner.

Since there has been subsequent development in the case after the said order was passed, the police authorities are directed to keep strict vigil over the area and ensure that there is no breach of peace and tranquility therein.

Nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)