

30.06.2025
Court No. 35
Item No.86
Rakib

W.P.A. 12753 of 2025

Bina Rani Poddar.
VS
The State of West Bengal & Ors.

Mr. Sounak Mukherjee.
...for the petitioner.
Mr. Vimal Kumar Shahi, Ld. AGP.
Mr. SM Samim Ullah,
Ms. Sonali Das.
...for State.

Petitioner is aggrieved by the fact that in spite of the directions of status quo being passed in T.S. 99/2025 by the learned Civil Judge (Senior Division), Sealdah, private respondents have been violating the said order and pursuing the construction work. The status quo order according to the petitioner specifically states for not changing the nature, character and the possession of the property. However, the same is being ignored by the private respondents and they are adamant in carrying out their activities.

Learned advocate for the State has submitted a report. Report reflects that so far as the illegality in the construction is concerned a separate writ petition being WPA. 7879/2025 has been preferred by the petitioner. So far as the present writ petition is concerned the petitioner has only prayed for police assistance in respect of the violation of the Civil Court's order. The report of the police authorities also reflects that no new sign of any construction/repairing work has been in existence at the

time when the police visited at 36N, Harish Neogi Road, Kolkata, 700067.

In view of the remedies available under the Civil Procedure Code and the breach of any provision, I am of the opinion that until and unless the police authorities are directed to specifically carry out a direction by the Civil Court itself, it may not be possible for the police authorities to act except to the extent of restoring peace and tranquility.

Having regard to the same, I direct the police authorities would keep a strict vigil and ensure that no untoward incident results because of the strained relationship presently existing between the parties.

With the aforesaid observations WPA 12753 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)