

D/L 185
11.07.2025
ct.no.35
Kausik

W.P.A. 12892 of 2025

**Himangshu Maji & Ors.
Versus
State of West Bengal & Ors.**

Mr. Partha Sarathi Mondal
Ms. Riya Paul
Ms. Tithi Sarkar

...for the petitioner.

Mr. Dhiman Ray
Mr. Pritam Modak
Mr. Dip Chanda

...for the respondent nos. 5 to 11.

Mr. Jayanta Samanta, Jr. Govt. Adv.
Mr. Supriya Majumder

...for the State.

Petitioner and the private respondents are relations. Both of whom claimed title over the property. The present petitioner has already preferred a title being Title Suit No. 113 of 2025 before the learned Civil Judge (Senior Division), Kakdwip. A status quo order has already been passed according to the petitioner. In spite of the same, petitioner complains that the private respondents are intending to raise construction by violating the civil court's order.

On the other hand, learned advocate appearing for the respondent nos. 5 to 11 submits

that the construction is already complete and the respondents are residing there.

The present writ petition has been preferred for interference in the peaceful enjoyment of the property.

Be that as it may, the civil court is already in seisin of the issue. Police authorities from the report which has been submitted on behalf of the State reflects that, they are aware also relating to the dispute existing between the petitioner and the private respondents. Proceedings have been drawn up under section 126 of the BNSS. The police authorities would continue their surveillance so that no untoward incident takes place so far as the right, title, interest, possession, occupation, charge etc. The same would be decided by the civil court. If the petitioner is faced with inconveniences for non-compliance of the order passed by the civil court, appropriate application be taken out before the learned Civil Judge in seisin of T.S. No. 113 of 2025. In case the Civil Judge passes any direction upon the police authorities. Police authorities would abide by the same.

With the aforesaid observations WPA 12892 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)