

07.02.2025
Court No. 35

Item No.2
Rakib

W.P.A. 14213 of 2024
Shib Ratan Sharma @ Mistri.
VS
The State of West Bengal & Ors.

Mr. Suman Basu,
Ms. Debanwita Pramanik,
Ms. Debaleena Chatterjee.
... for the Petitioner.
Mr. Wasim Ahmed,
Mr. Harun-Al-Rashik.
... for the State.

Petitioner is aggrieved by the fact that he is continuously being disturbed by the respondent no.8 and his associates. To that effect information has been furnished to the police authorities but petitioner is unable to have peaceful enjoyment at his own property.

Mr. Ahmed, learned advocate appears on behalf of the State and submits that the police authorities have taken prompt action. A title suit is pending before the Court at Dubrajpur, Birbhum being Title Suit no. 04/2022 which has been preferred by the petitioner against the respondent. Proceedings under Section 144 of the Code of Criminal Procedure has also been instituted.

Be that as it may since the petitioner has submitted a representation and number of cases are inter se pending between the parties, I direct the

police authorities to keep a strict vigil so that no breach of the peace and/or tranquility take place and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondent.

So far as the issue relating to any construction of boundary wall is concerned Civil Court which is already in seisin of the matter should be approached for necessary directions. In case any direction is passed by the Civil Court upon the police authorities, the police authorities would respect, obey and implement such order.

With the aforesaid observations WPA 14213 of 2024 is disposed of.

Report submitted by the State be kept with the record.

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.)