

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

MAT 922 of 2025

With

IA No.: CAN 1 of 2025

Seikh Samiran Bibi

Vs.

The State of West Bengal & Ors.

For the Appellant : Mr. Souma Subhra Roy, Advocate
Ms. Neelam Kumari, Advocate

For the State respondents : Mr. K.J. Yusuf, Ld. AGP
Mr. Parikshit Goswami, Advocate

For the Respondent nos.5 & 6: Mr. Kaushik Dey, Advocate
Mr. Debdipto Banerjee, Advocate

Hearing & Judgment on : July 22, 2025

DEBANGSU BASAK, J.:-

1. Appeal is directed against an order dated May 1, 2025 passed in WPA 8255 of 2025.
2. Appeal is at the behest of the writ petitioner.
3. By the impugned order, learned Single Judge noted that, the appellant and the private respondents are at loggerheads. There is a suit for partition pending. Learned Single Judge directed the police authorities to ensure that, there is no breach of peace and/or tranquility taking

- place as also any untoward incident resulting due to the disputes between the private parties.
4. Learned Advocate appearing for the appellant draws the attention of the Court to an order of *status quo* passed by the learned Civil Court in Title Suit No.137 of 2025. He submits that, the private respondents are disturbing the *status quo* as directed by the order passed by the learned Civil Court, to be maintained.
 5. State and the private respondents are represented.
 6. We perused the order dated February 13, 2025 passed in Title Suit No.137 of 2025.
 7. Such order was passed in a suit for partition. Such order records that, the rival contentions of the parties. It records a *prima facie* finding that, the plaintiff made out a case for trial. Learned Civil Judge was pleased to hold that, the suit property require protection. In such circumstances, learned Civil Court directed the plaintiff and the defendant nos.1 to 26 in such suit to maintain *status quo* over the schedule property as mentioned in the plaint without changing its nature and character in any manner whatsoever.
 8. The status of parties to the suit in the scheduled property concerned is not described in the order dated February 13, 2025 passed by the learned Civil Court. In other words, the order of the Civil Court does not specify the area of the property or part thereof in occupation of any of the parties to the suit. Therefore, requiring the police to maintain a

- status quo* status *vis-a-vis* the parties to the suit and the property concerned, which is not described by the Civil Court, does not arise.
9. In such circumstances, we find no ground to interfere with the order impugned.
10. **MAT 922 of 2025** and IA No.: **CAN 1 of 2025** are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

11. I agree.

(AD)

(Md. Shabbar Rashidi, J.)