

19.02.2025
Court No. 35
Item No.14
Rakib

W.P.A. 14949 of 2024
Bablu Sk. & Anr.
VS
The State of West Bengal & Ors.

Mr. Usof Ali Dewan,
Mr. Asif Dewan.
... for the Petitioners.
Mr. Krishan Ray,
Mr. Anamitra Banerjee,
Ms. Ishita Kundu.
...for Respondent no.5.
Ms. Jhuma Chakraborty,
Ms. Kakali Naskar.
... for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioners are aggrieved by the fact that inspite of a status quo order being passed by the learned Civil Judge (Senior Division), Jangipur, Murshidabad, in connection with P.S. 149/2011, the private respondents are violating such injunction order and are proceeding with their construction work. Inspite of informing the police authorities no action has been taken and the petitioners have also informed the Superior Officer including the Superintendent of Police, Jangipur Police Station.

State has submitted a report. Report reflects that the petitioners were asked to produce the injunction order by the police authorities when they failed to produce the same. As such the police authorities could not interfere in respect of the accusations made.

Learned advocate for the private respondent no.5 submits that the accusation made in the writ petition are devoid of any merits and the police authorities on proper appreciation did not interfere in respect of the information furnished by the petitioners. Be that as it may, if the Civil Court has passed an order of status quo, in such an event petitioners would either invoke the jurisdictional Court under Section 151 of Code of Civil Procedure or relevant provisions of the CPC praying for specific directions upon the police authorities to render police assistance. In case such an order is passed police authorities would respect, obey and implement the order of the Civil Court.

In the meantime police authorities would ensure that there is no breach of the peace and/or tranquility takes place at the locale and/or any untoward incidents resulting because of the strained relationship existing between the parties.

With the aforesaid observations WPA 14949 of 2024 is disposed of.

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

Copy of the report be handed over to both the parties.

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.)