

02.07.2025
Court No. 35
Item No.41
Rakib

W.P.A. 15497 of 2024

Tapas Ghosh.
VS
The State of West Bengal & Ors.

Mr. Satarup Purakayastha,
Mr. Abdus Salam,
Mr. Abhishek Chakraborty.
...for the Petitioner.
Mr. Ansar Mondal, AGP,
Mr. Raja Ram Banerjee.
...for the State.

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

Petitioner is aggrieved by the fact that in spite of decree having been passed in connection with Title Suit no. 154/2014 on 13th of November, 2019, certain portion of plots of land have been forcefully tried to be occupied by the private respondents by way of fixing flags of particular political party as also by way of forceful entry.

Prima facie, from the records of the case it reflect that the petitioner and the private respondents are related to each other.

As the Civil Court's decree is in existence the petitioner would take steps for execution of the Civil Court's decree with specific direction upon the police authorities.

So far as the police authorities are concerned they are unable to restrict the movement of any individual

without a proper order from a Court of law as the plots are in such manner that some portion are already in possession of few of the respondents.

Be that as it may, the police authorities, if they are directed by the learned Civil Court, they would respect, obey and implement the order. The police authorities would also keep surveillance and would ensure that the parties to the present writ petition do not take the law and order in their own hands in such a manner so that the same may result in any untoward incident or may lead to breach of the peace and tranquility.

With the aforesaid observations WPA 15497 of 2024 is disposed of.

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

A 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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)