

29.07.2025
Item No.84
Ct. No.35
dc.

W.P.A. 16066 of 2025

**Narendranath Sarkar & Ors.
versus
The State of West Bengal & Ors.**

Mr. Subir Kumar Bhattacharyya,
Mr. Abhijit Kumar Adhya,
Ms. Pinky Dey ... For the Petitioners.

Mr. Bratati Roy Chowdhury ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioners are aggrieved by the fact that in spite of the civil court having passed necessary directions in Title Suit No. 221 of 2024 thereby directing that the peaceful possession and cultivation of the plaintiffs in the suit property be maintained and there should not be any change in the nature and character of the property at least at the behest of the defendant from encroaching upon any portion thereof, the respondent violated the same.

Petitioners state that the Civil Judge (Junior Division), 2nd Court, Katwa subsequently also converted the said order of temporary injunction in the form of status quo thereby directing that the nature, character and possession of the suit property be maintained till the disposal of the suit. Petitioners complain that as criminal cases have

been instituted against them, they are unable to enter the property.

State has submitted a report which reflects that Ketugram Police Station Case No. 192 of 2025 was registered for investigation.

The police authorities are well acquainted with the dispute and difference between the petitioners and the private respondent. Proceedings have been drawn up under Sections 126/135(3) of BNSS. Having considered the prayers of the petitioners that they cannot enter their property, I direct that since the civil court is already in seisin of the issue, petitioners would approach the jurisdictional civil court for appropriate directions. In case there are directions of the civil court, police authorities would respect the same.

With the aforesaid observations, the writ petition being WPA 16066 of 2025 is disposed of.

There will be no order as to costs.

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.)