

07.08.2025
Court No. 35
M/L. No.754
Rakib

W.P.A. 17045 of 2024

**Nawab Hussain @ Hossain
VS
The State of West Bengal & Ors.**

Mr. Soumen Ghosh
...for the Petitioner
Mr. Wasim Ahmed
Mr. Tanweer J. Mandal
...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 directions in T.S. 609/22 passed by the learned Civil Judge (Junior Division), 2nd Court, Barrackpore, petitioner is faced with obstruction and resistance while raising the construction.

Learned advocate for the State has submitted a report. According to learned advocate for the State, the dispute is between the brother and the sister. Report also reflects that the police authorities have taken steps at the relevant point of time.

Be that as it may, since the Civil Court is in seisin of the issue, I am of the view that it would be the Civil Court itself to assess regarding the breach of its order and pass necessary direction in accordance with law. Police authorities would interfere only if there is any violation of law and order.

With the aforesaid observations WPA 17045 of 2024 is disposed of.

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

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.)