

Sl.No.
34 06.03.2025
Court
No. 35
G.S.Das

WPA 18216 of 2024

Partha Das
-Vs-
The State of West Bengal & Ors.

Mr. Amal Kr. Banerjee
... for the Petitioner(s)
Mr. Debdutta Basu
... for the State-respondent(s)
Mr. Arka Tilak Bhadra
... for the respondent no.6

The petitioner complains that he purchased a plot of land from the respondent no.6 but, whenever he attempted to execute the said indenture, the respondent no.6 has been creating obstruction in handing over the vacant possession of the aforesaid property.

The petitioner informed the police authorities regarding the inconvenience faced. However, till date, no assistance has been rendered by the police authorities.

Learned advocate for the

respondent no.6, on the other hand, submits that the title suit being T.S. 255 of 2024 has been preferred in respect of the manner in which the petitioner has claimed to be the owner of the property. To that effect, the learned Civil Judge (Jr. Divn.), 2nd Court, Barrackpore passed an ad interim order of injunction as the title of the property has been challenged before the appropriate civil court. The police authorities, at this stage, feels to stay away their hands from the nature of the information furnished with them by the present petitioner.

State is represented and submits that the police authorities have not interfered in view of the nature of the disputes and differences which are presently being adjudicated by the learned civil court.

Having considered that admittedly in the information furnished with the police station seems not to have been handed

over, I am of the view that until and unless appropriate civil court passes any direction in respect of the right, title, interest, possession and usages of the property concerned, the police authorities will not interfere with the same.

However, the police authorities would ensure that since the parties are at logger heads, there is no breach of the peace and tranquility as also no untoward incident resulting from the relationship existing between the parties.

With the aforesaid observations, WPA 18216 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

