

Sl.22
07.08.2025
Court No.6
BP

C.O. 2848 of 2025

Krishnapada Gope & Ors.
-versus-
Dhiran Gope & Ors.

Ms. Subhanwita Ghosh
... for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiffs and is directed against an order dated July 22, 2025 passed by the learned Civil Judge (Junior Division), Purulia.

By the order impugned the application under Section 151 of the Code of Civil Procedure praying for implementation of the order of repairing work of the poultry farm stood allowed.

The learned advocate appearing for the petitioners submits that the prayer for police help was allowed for implementation of the repairing work without considering that an order of status quo with regard to the nature and character of the suit property is still in subsistence.

On a query of the Court, the learned advocate appearing for the petitioners, in her usual fairness, submits that the order allowing the repairing work has not been challenged in the civil revisional application.

Permitting the opposite party to repair the poultry farm cannot be said to be in conflict with the status quo

order as the learned trial judge allowed such repairing to be done without changing the nature and character of the suit property.

When the order of repairs is in subsistence and interference and obstruction in the repairing work by the petitioner has been alleged, the learned trial judge, in the considered view of this Court, was right in allowing the application for police help. Thus the apprehension of the petitioner that in the garb of repairing, the opposite parties will change the nature and character of the suit property has been sufficiently protected by the order allowing him to effect repairing work.

With the above observations, C.O. 2848 of 2025 stands disposed of.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)