

28.08.2025
Court No. 35
D/L. No.28
Rakib

W.P.A. 19719 of 2025

**Bithi Chakraborty & Anr.
VS
The State of West Bengal & Ors.**

Mr. Joy Chakraborty
Mr. Sandip Dinda
...for the Petitioners.

Mr. Srijan Nayek
Mr. Nandadulal Bandopadhyay
...for the State.

Petitioners are aggrieved by the fact that in spite of directions passed on 29.11.2024 in T.S. 454/2020 directing the Inspector-in-Charge, Ashoknagar Police Station to render assistance in implementing the ad interim order of injunction, proper steps were not taken. Petitioners express their agony and anxiety regarding the high handed acts of the private respondents as well as the manner in which the Civil Court's order are being violated.

Learned advocate for the State has submitted a report. Report reflects that the police authorities have drawn up proceedings being Ashoknagar PS NCR No. 539 dated 24.08.2025. A long standing dispute is existing, as such proceedings have already been drawn under Section 126/135(3) of BNSS. It also reflects that against the petitioner's husband and others Ashoknagar PS 344/25 was registered for investigation.

Having considered that the police authorities are well aware regarding the prevailing circumstances, I am of

the opinion that so far as the right, title, interest, occupation and demarcation is concerned it will be the Civil Court who will decide the issue.

Police authorities would only oversee that there is no violation of law and order.

With the aforesaid observations WPA 19719 of 2025 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.)