

D/L 45
24.09.2025
Bpg.
ct.no.35

W.P.A.22116 of 2025

Hasibul Islam & Anr.
Versus
The State of West Bengal & Ors.

Mr. Hamidur Rahaman.
...for the petitioners.

Mr. Suman Ghosh
Mr. Sankha Prasad Ray.
...for the State-respondents.

Mr. Md. Golam Nure Imrohi
Mr. Partha Pratim Sinha.
...for the respondent nos.4 & 5.

Learned advocate appearing for the petitioners is aggrieved by the fact that in spite of having permission, they are unable to raise construction. To that effect, information was furnished with the police authorities, but no steps have been taken.

On the other hand, Mr. Ghosh, learned advocate appearing for the State has submitted a report enclosing the order dated 18.09.2025 passed in Partition Suit No.623 of 2025 by the learned Civil Judge (Senior Division), Lalbagh, Murshidabad which reflects that there has been a restrain order for proceeding with the construction work-in-question.

Learned advocate for the private respondents is present.

Since there is a specific direction of the civil court, police authorities would not be able to render any assistance to the petitioners until and unless there is alteration or modification of the order of the civil court. Police authorities have kept a vigil and to that effect drew up proceedings under Section 126 of the BNSS, they are directed to continue with their surveillance.

With the aforesaid observations, WPA 22116 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioners.

All 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 given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)