

24.09.2025
Item No.81
Ct. No.35
dc.

W.P.A. 22442 of 2025

**Sekh Nassiruddin & Ors.
versus
The State of West Bengal & Ors.**

Mr. Sayantan Hazra ... For the Petitioners.

Mr. K. J. Yusuf, AGP,
Mr. Arijit Dey ... For the State.

Mr. Tarunjyoti Tewari,
Mr. Dipankar Bhakta ... For the Respondent No.7.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioners are aggrieved by the fact that an order dated 26.09.2024 was passed in PS No. 60 of 2024 wherein the learned Civil Judge (Senior Division), Islampur, Uttar Dinajpur has passed specific orders. Petitioners complain that private respondents have been violating the said order of the civil court.

State has submitted a report which reflects that on the earlier occasion, guidelines were framed by the civil court. Consequent to which police authorities have adhered to such guidelines and granted permission. Petitioners also complain that police authorities have been aiding the private respondents for raising temporary construction/Puja Pandal which also includes a

part of the property which is the subject-matter of the civil suit.

Records reflect that the civil court is in seisin of the issue. The civil court is aware regarding the dispute over construction and usage of part of the property of the petitioners as alleged. As the suit is *sub judice* before the civil court, petitioners would be at liberty to approach the civil court for necessary directions for alteration, modification and/or cancellation of the earlier guidelines so imposed on 26.09.2024.

At this stage, I do not find that the police authorities have any role of interference. However, the police authorities, as directed by the civil court, would maintain peace and ensure that there is no violation of law and order.

With the aforesaid observations, the writ petition being WPA 22442 of 2025 is disposed of.

There will be no order as to costs.

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.)