

WPA 23091 of 2025

Abdul Hakim Molla & Anr.
Vs.
The State of W. B. & Ors.

Mr. Atreya Chakraborty ...for the petitioners.

Ms. Rama Halder
Mr. Subrata Bhattacharya ...for the State.

Mr. Sounak Bhattacharya
Mr. Sounak Mondal ...for the private respondents.

Affidavit of service filed by the petitioners and report submitted by the State are taken on record.

Heard learned counsels for the parties.

It appears that there is a long standing civil dispute between the parties. Earlier, the petitioners sought a decree for declaration and injunction against the private respondents and obtained a final decree therein.

Since the petitioners were unable to implement the said decree, they approached this Court in a writ petition being WPA 19983 of 2024. By an order passed on 4th October, 2024, a co ordinate Bench of this Court directed the petitioner to approach the regular civil Court for execution of the decree and also directed the police authority to ensure that there was no violation of the law and order situation in the area.

In the meantime, a suo motu FIR was lodged against the petitioners wherein charge sheet has been submitted

upon completion of investigation. The petitioners have been granted bail in the said case.

The petitioners tried to construct a boundary wall in their property and were resisted by the private respondents for which they filed a civil suit, which is pending.

The petitioners seek to lodge a complaint before the police authority in this regard. The civil dispute between the parties shall be taken care of by the appropriate civil forum.

In the event the petitioner lodges a complaint before the police authority, the authority shall take necessary steps in accordance with law.

In the meantime, the police authority shall maintain strict surveillance in the area in order to ensure that no untoward incident occurs and peace and tranquility is maintained.

The writ petition is accordingly disposed of.

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

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)