

December 8, 2025
(18) ARDR

WPA 24572 of 2025

Selim Sk. & anr.
Vs.
The State of West Bengal & ors.

Adv. Mrinal Kanti Chatterjee,
Adv. Bipasha Bhattacharyya,
... for the petitioner.
Adv. Md. Farhaduddin,
Adv. Himadri Kumar Mahata,
...for the State.

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

It appears that the 4th respondent has expired. His named be expunged from the cause title of the application.

Learned counsel for the petitioners submits that the petitioners and the private respondents are co-sharers in respect of the property in question and a partition suit by and between the parties is pending before the learned trial Court. Despite an order passed by the learned trial Court to maintain status quo in respect of the suit property in respect of its nature, character and possession, the private respondents are restraining the petitioners from cultivating the land. In an earlier writ petition filed by the father of the petitioners before this Court, a coordinate Bench of this Court, by an order passed on 17th April, 2025 in WPA 1993 of 2025 directed the police authority to continue surveillance and ensure that no untoward incident took place because of enimical relationship existing between the parties. Learned counsel alleges that despite such order, the private respondents are continuing their disturbance in

the property. The police has taken no step for implementation of the said order. After the earlier order was passed the petitioners filed an application under Section 152 of the Code of Civil Procedure before the learned trial Court seeking police assistance for implementation of the order of ad interim injunction and such prayer was granted directing the police authority to make necessary enquiry over the complaint lodged by the father of the petitioners and take appropriate action if necessary to prevent any breach of the order.

Learned counsel for the State submits that the police authority is keeping vigil over the property in order to maintain peace and tranquility thereof.

In view of the fact that the learned trial Court has granted an order of status quo upon both the parties in respect of nature, character and possession of the property in question and also since the application filed by the petitioners under Section 151 of the Code of Civil Procedure has been allowed, the police authority is directed to keep strict vigil over the area in order to maintain peace and tranquility and also to ensure compliance of the order passed by the learned trial Court.

With the aforesaid directions, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)