

13.08.2025
Court No. 35
M/L. No.64
Rakib

W.P.A. 26191 of 2024

**Tandra Jasu & Anr.
VS
The State of West Bengal & Ors.**

Mr. Manik Lal Poddar
Ms. Shipra Chanda
Mr. Sanjoy Ghosh
Mr. A.J. Mallicik
...for the Petitioners.
Ms. Neelam Singh
...for the State.

Petitioners have prayed for execution of the order passed by the learned Executive Magistrate. Supplementary affidavit which has been filed incorporates regarding the directions passed by the learned Civil Judge (Junior Division) 6th Court, Alipore in Title Suit no.1256/2022 which directed for maintaining status quo in respect of the nature, character and possession of the suit property. Petitioners complain of interference at the behest of the private respondents.

As none appears on behalf of the State Ms. Neelam Singh, learned advocate who ordinarily appears for the State is directed to represent the State. Her appointment may be regularized by the concerned authorities.

In view of the Civil Court already in seisin of the issue, I am of the view that if there is a breach of the Civil Court's order, petitioners would take out appropriate application before the Civil Court. So far as the order of the learned Executive Magistrate is concerned, the same is for a limited period, as such interference in respect of

the same by invoking the provisions of Article 226 of the Constitution of India is uncalled for. There is dispute between the petitioners and the private respondents as they are in a strained relationship, accordingly, police authorities would keep a vigil and would see that there is no violation of law and order. In case there is any violation of law and order police authorities would take steps in accordance with law.

With the aforesaid observations WPA 26191 of 2024 is disposed of.

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.)