

27.03.2025

Item No.48

Ct. No.35

dc.

W.P.A. 25966 of 2024

**Pradip Kumar Sarkar & Ors.
versus
The State of West Bengal & Ors.**

Mr. Arkadyuti Pahari,
Ms. Gargi Maity,
Mr. Alik Mandi,
Ms. Upasana Achariya ... For the Petitioners.

Mr. Santanu Kumar Mitra,
Mr. Manoj Mandal ... For the State.

Md. Sofiulla Mondal
... For the Respondent Nos.5, 6 & 8 to 10.

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.

The petitioners allege that in spite of
informing the police authorities, no steps have been
taken. It has been contended that the private
respondents have committed cognizable offences,
yet the police authorities are reluctant to act upon
the representation made. Petitioners have
approached the civil court and to that effect,
learned advocate for the petitioners draws the
attention of the Court to the order dated
18.10.2023 passed by the learned Civil Judge (Jr.
Division), 2nd Court, Sealdah wherein order of ad
interim injunction was passed restraining the
defendants from illegally grabbing and encroaching
by way of inducting any third party in the suit
property.

Learned advocate for the private respondents submits that in the Title Suit, the private respondent nos. 5, 6 and 8 to 10 were not made parties.

Learned advocate for the State has submitted a report.

I have considered the nature of the dispute between the parties which are absolutely to be dealt with by the civil court. The police authorities would only ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioners and the private respondents.

With the aforesaid observations, the writ petition being WPA 25966 of 2024 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.)