

December 2, 2025
(11) ARDR

WPA 26187 of 2025

Majibar Rahaman Gharami @ Majibar Gharami & anr.
Vs.
The State of West Bengal & ors.

Adv. Amit Bikram Mahata,
Adv. Samrat Mondal,
...for the petitioners.
Adv. Kanailal Mondal,
...for the respondent nos. 6 & 7.
Adv. Tapan Coomar Dey,
....for the State.

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

Learned counsel for the petitioners submits that despite an order of ad interim injunction granted by the learned trial Court directing both the parties to maintain status quo in respect of nature, character and possession of the property, the private respondents, in violation of the said order have been disturbing the peaceful possession of the petitioners in the property and trying to encroach upon the same. The petitioners lodged complaint before the police authority in this regard which was registered as FIR and charge sheet has been submitted upon completion of investigation. Learned counsel submits that despite such steps being taken by the petitioners, the private respondents are continuing to disturb their peaceful possession in the property. The petitioners have lodged a G.D. before the police authority in this regard.

Learned counsel for the State submits that necessary steps have been taken by the police authority pursuant to the complaint lodged by the petitioners.

Learned counsel for the private respondents submits that the dispute between the parties is civil in nature and is required to be dealt with by the jurisdictional Court.

Since the petitioners alleged violation of the ad interim order of injunction granted by the learned trial Court, they are at liberty to approach the learned trial Court for redressal of their grievance.

In the meantime, the police authority shall keep strict vigil over the area and ensure maintenance of peace and tranquility and also that the order passed by the learned trial Court is not violated in any manner whatsoever by either of the parties.

With the aforesaid direction, 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.)