

10.04.2025
Court No. 35
Item No.19
Rakib

W.P.A. 27462 of 2024

Abdul Ali Molla.
VS
The State of West Bengal & Ors.

Mr. Md. Mansoor Alam.
... for the Petitioner.
Ms. Ipsita Banerjee.
...for State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that inspite of a decree having been passed in connection with T.S. 1407/2019 by the learned Civil Judge (Junior Division) 3rd Court, Alipore, South 24 Parganas, the private respondents are pursuing their illegal activities for grabbing the property of the petitioner and are continuously disturbing and obstructing him. To that effect petitioner informed the police station and inspite of informing the police station no steps have been taken by the police authorities.

Learned advocate for the State has submitted a report and further drawn the attention of the Court in respect of the steps taken by Nadial Police Station including the factum of registration of the police station case for violation of the order of the Civil Court for trespassing into the property.

Having considered the nature of the dispute complained of and the steps taken by the police

authorities, I am of the view that for issues relating to possession of the property, it would be the domain of the Civil Court which has passed the decree to implement its order.

Police authorities would only ensure that there is no breach of the peace and/or tranquility and/or any untoward incident taking place because of the strained relationship existing between the parties.

With the aforesaid observations WPA 27462 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

If the petitioner applies for certified copy of the police report, the department will make available of such copy of the report to the petitioner

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.)