

15.01.2025
Item No.24
Ct. No.35
dc.

W.P.A. 30213 of 2024

**Anisur Rahaman Sk. & Anr.
versus
State of West Bengal & Ors.**

Mr. Sudip Sarkar,
Mr. Benazir Shaikh,
Ms. Sneha Maity ... For the Petitioners.

Mr. Suman Sengupta,
Mr. Sanatan Panja ... For the State.

Mr. Debabrata Mondal,
Mrs. Sreetama Neogi ... For the Respondent Nos.4 to 8.

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. A copy of the report be handed over to the learned advocates appearing for the petitioners and the private respondent nos 4 to 8.

The petitioner claims that in spite of a decree passed in T.S. No. 396/2022 by the learned Civil Judge (Jr. Division), 1st Court, Berhampore, Murshidabad wherein the defendants have been restrained from disturbing the peaceful possession, the defendants being the private respondents are continuing to disturb the peaceful possession of the present petitioners.

Learned advocate appearing for the private respondent nos. 4 to 8 submits that there are civil cases which have been filed by the original land owner and issues are also pending before the LRTT.

In view of the petitioners and the private respondents are still contesting before the civil court and the LRTT, I am of the opinion that interference by this Court at this stage is unwarranted. However, as strained relationship exists between the petitioners and the private respondents and the police authorities have already drawn up proceedings under Sections 126/135(3) of BNSS against the private respondents, I direct the police authorities to ensure that no untoward incident results because of the strained relationship existing between the petitioners and the private respondents. All efforts be taken by the police authorities by way of keeping strict vigil in respect of the subject-matter in dispute.

With the aforesaid observations, the writ petition being WPA 30213 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.)