

D/L 82
24.01.2025
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ct.no.35

W.P.A.30621 of 2024

**Maidul Islam Mondal
Versus
The State of West Bengal & Ors.**

Mr. Pinaki Bhattacharyya
Mr. Amartya Mohan Bhattacharyya
Mr. Parichay Pathak.
...for the petitioner.

Mr. A.K. Ganguly
Mr. Bellal Sk.
...for the State-respondents.

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

Petitioner is aggrieved by the fact that in spite of an order passed in Title Suit No.1233 of 2024 by the learned Civil Judge (Senior Division), 3rd Court, Alipore wherein the learned court was pleased to direct both the plaintiffs and the defendants to maintain status quo with respect to the nature and character of the suit property, yet the private respondents have been attempting to dispossess the petitioner and/or interfering with the petitioner's peaceful enjoyment of the property.

Report submitted by the police authorities reflects that the private respondents have filed an application under Section 163 and 126 of BNSS

which is pending before the learned Executive Magistrate.

Be that as it may, police authorities would oversee that the civil court's order is not violated. However, it would be for the petitioner to approach the civil court in seisin of the matter to pass specific directions upon the police authorities for rendering police assistance. In case such an order is passed, police authorities would ensure that the said order is respected, obeyed and implemented. In the meantime, police authorities would also keep a strict vigil and ensure that no breach of the peace and/or tranquility takes place and or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

With the aforesaid observations, WPA 30621 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)