

D/L - 36
31/10/2025
Court. No. 2
Aritra

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

WPA 2011 of 2025

**Kailash Chandra Golwa
Vs.
The State of West Bengal & Ors.**

Mr. Subham Ghosh
Mr. Mayank Roy

....for the petitioner

Ms. Bedashruti Bose
Mr. Sumit Kumar

....for the State

Mr. Bhaskar Roy Mahasaya
Ms. Ambalika Ghosh

....for the respondent Nos.4 & 5

The petitioner alleges that in spite of an order passed by the Civil Court directing the police authorities to comply with the order of *status quo* passed by the Civil Court, no steps have been taken by the police authorities.

The learned advocate appearing for the State disputes such submission. He submits that on the basis of the complaints lodged by the petitioner four cases have been registered and out of the four cases, two of those cases have ended in charge sheet and investigation in connection with the other two cases are proceeding.

The learned advocate appearing for the private respondent submits that the private respondents are in possession of the suit property and no construction work is being carried on by the private respondent in the suit property at present.

Record reveals that the learned Civil Judge (Jr. Div.), Jalpaiguri by an order being No.1 (Later) dated February 20, 2024 passed an ad interim order directing both the parties to maintain *status quo* over the suit property in respect of nature, character and possession of the same as on the date of passing of the order for a limited period.

It is not in dispute that the said ad interim order of *status quo* is being extended from time to time and the same is still subsisting. It further appears from the record that the learned Civil Judge by an order dated August 27, 2024 directed the Officer-in-Charge, Bhaktinagar Police Station to comply with the order of *status quo* and to look into the matter and see that the order of the Civil Court is not violated in any manner causing any serious breach of peace there.

It appears from the order of *status quo* passed on February 20, 2024 that the learned Civil Judge apart from directing *status quo* to be maintained in respect of possession also directed *status quo* in respect of nature and character of the property in question.

The learned advocates for the respective parties submit that their clients are in possession of the suit property.

Be that as it may, there is also an order of *status quo* with regard to the nature and character of the property in question.

Thus, the police authorities are duty bound to comply with the order passed by the learned Civil Court and to ensure that the *status quo* in respect of nature and character of the property is also maintained by the parties.

The respondent/police authorities are directed to see that no breach of peace takes place at the locale and to keep a strict vigil at

the locale. The concerned Investigating Officer is directed to complete the investigation as expeditiously as possible.

With the above observation and direction **WPA 2011 of 2025** stands disposed of.

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

(Hiranmay Bhattacharyya, J.)