

12.02.2025  
Ct. 3  
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**CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI  
CIVIL REVISIONAL JURIDICITION  
APPELLATE SIDE**

**C.O. 215 of 2024**

**Sukumar Ghosh**

**-VS-**

**Swadhin Ghosh & Ors.**

Mr. Sandip Mandal  
Mr. Abhilash Mittal  
Mr. Amit Saha  
... for the petitioner

Mr. Subham Ghosh  
Mr. Mayank Roy  
...for the O.P.Nos. 1-6.

Mr. Deborshi Dhar  
Ms. Taniya Bhowmick  
...for the Siliguri Municipal Corporation.

This is a revision challenging the impugned order of the Civil Judge (Senior Division), Siliguri dated December 2, 2024 thereby rejecting the plaintiff's application under Section 151 of the Code of Civil Procedure seeking police help.

The fact remains that with respect to the Plot No. 2480, Mouza-Siliguri, the Court directed the parties litigating before it, in Title (Partition) Suit No. 99 of 2024, to maintain peaceful possession and status quo in respect of the said suit property and not to change the nature and character thereof.

The order was passed on July 22, 2024.

Allegedly, since thereafter the defendants of the suit/opposite parties in the present revision, have been violating the said order of the Court directing the parties to maintain status quo, thereby changing the nature and character of the suit property and utilising the same for commercial purposes.

Hence, it was required that police help be granted to the plaintiff for protection of the interim order granted by the Court as above, the petitioner has stated.

Upon perusal of the records, it appears that the co-sharers who are the parties in the partition suit before the learned Court have been directed to maintain peaceful possession over the land and status quo as regards the possession and directed also not to change the nature and character of the suit property. So far as the land in question, upon which such order has been passed by the Court i.e. comprised in Plot No. 2480, Mouza-Siliguri, there is no material available before the Court to come to a conclusion that violation of the interim order as above has been made by the parties of the suit specifically the opposite parties/defendants thereof in any manner whatsoever.

In such circumstances, the Court finds no infirmity or illegality in the order passed by the learned trial court i.e. dated December 2, 2024.

Hence, having found no merit in the present revision, the C.O. 215 of 2024 is dismissed.

**( Rai Chattopadhyay, J.)**