

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 13764 OF 2025

ANIYA BIBI
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Omar Faruk Gazi, Adv.
Ms. Susmita Das, Adv.
Mr. Masta Fizur Rahaman, Adv.
...for the Petitioner

Ms. Sabnam De Bardhan, Jr. G.A.
Ms. Kakali Naskar, Adv.
...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner prays for direction upon the concerned police authorities for providing assistance which would enable the petitioner to stay at the premises in question.
3. In support of such submission reliance is placed on an interim order passed on 30th November, 2023 by learned Civil Judge (Junior Division), 4th Court, Burdwan in connection with Title Suit No.117 of 2023 whereby directing the parties to the suit to maintain *status quo* in respect of the suit property in relation to nature, character, ownership and possession till disposal of the suit.
4. According to the petitioner, in view of the interim order passed on 30th November, 2023 in Title Suit

No.117 of 2023, police authority is required to take steps for implementation of the order.

5. State respondents are represented by learned advocate who has filed a communication dated 30th June, 2025 of Officer-in-Charge, Bhatar Police Station, Purba Bardhaman and same is taken on record. Copy of the said communication dated 30th June, 2025 is made over to the learned advocate representing the petitioner.
6. Question arises for consideration is whether based on the interim order passed by the Civil Court on 30th November, 2023 concerned police authority is required to extend assistance or not to the petitioner for her stay at the premises in question, which is also the subject matter in the aforesaid pending title suit.
7. Civil Court on 30th November, 2025 directed the parties to maintain *status quo* with regard to the suit property without describing what was the situation prevailing on the date of passing such order so far suit property is concerned. Mere *status quo* order without describing the situation does not crystallize the right of the parties at the interim stage.
8. In this regard reliance is placed on the judgment of a Co-ordinate Bench reported in **2016 SCC OnLine CAL 2683 (Sri Soumitra Bandopadhyaya & Anr. vs.**

State of West Bengal & Ors.). Therefore, no relief can be granted in this writ petition.

9. Writ petition stands dismissed.
10. However, this order shall not preclude the petitioner to approach the Civil Court in pursuit of remedy.
11. Urgent photostat certified copy of the order, if applied for be given to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)