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jdt. 21.01.2026
jb.

WPA 27752 of 2025
(Gopal Roy vs. State of West Bengal & Ors.)

Ms. Pampa Dey Dhabal
Mr. Pritam Sarkar
.... For the Petitioner
Mr. Avijit Sarkar
Hasannuzzaman
.... For the State

Affidavit of service filed by the petitioner is taken on record.

None appears for the private respondents despite service.

Learned counsel for the petitioner submits that the petitioner is the recorded owner of the plots in question. The private respondents are disturbing his peaceful possession therein and obstructing him in cultivating the land for which he filed a title suit being T.S. 194 of 2024 before the learned civil Court. Applications under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure were filed before the learned trial Court by the plaintiffs as well as the private respondents and the learned trial Court granted an order of status quo upon both the parties in respect of the nature, character and possession of the properties restraining them from creating any third party interest therein. Both the applications were disposed of by the learned trial Court upon hearing both the parties. The petitioner sought police assistance for implementation of the orders and such prayer was granted by the learned trial Court, directing the Officer in charge, Garbeta Police Station to take necessary steps for

implementation of the order of injunction and for ensuring that there was no breach of peace in the property.

Learned counsel for the petitioner submits that despite such orders and the petitioner submitting several representations before the police authority for implementation of the said orders, no step has been taken by the latter. The petitioner seeks implementation of the orders of the learned trial Court.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the learned trial Court, upon hearing both the parties, has passed orders of temporary injunction in the form of status quo directing the parties not to disturb the peaceful possession of each other and allowing each of the parties to cultivate their respective shares in the property, the Officer in Charge, Garbeta Police Station, being the 6th respondent herein, is directed to take necessary steps for implementation of the orders passed by the learned trial Court at once. Besides ensuring implementation of the said orders, the 6th respondent shall also ensure maintenance of peace and tranquility in the locality and render necessary assistance to the petitioner as and when sought.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)