

07 21.09.2020
AN Ct. No. 13

W.P.A. 6585 of 2020
with
I.A. No.: CAN 1 of 2020 (Old No. CAN 5379 of 2020)

(Via Video Conference)

Kanai Lal Patra
-vs.-
State of W.B. & Ors.

Mr. Sabyasachi Chatterjee
... for the petitioner

The petitioner seeks, in essence enforcement of the order passed by the learned Civil Judge, Junior Division, 2nd Court, Baruipur, South 24 Parganas in T.S. Case No. 582/2018. The order of ad interim injunction was passed on 10.12.2018 restraining the private respondents from encroaching upon the petitioner's land. The order is stated to have been extended from time to time which this Court has no way of verifying.

The petitioner complains that the local Gram Panchayat is seeking to construct a road on such land in violation of injunction.

This court is of the view that the remedy of the petitioner is for enforcement of this order including the third parties under the provisions of the Code of Civil Procedure.

If the petitioner makes such application before the learned court below including the addition of parties, the same may be treated as urgent by the learned court below.

With the above observations, the writ petition

stands **disposed of**. Consequently the connected application also stands disposed of.

Supplementary affidavit filed is taken on record.

There will be no order as to costs.

All parties shall act on the Web copy of this Order accordingly.

(Rajasekhar Mantha, J.)