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**W.P.A. No.7358 of 2020
With
C.A.N. 1 of 2020**

**Sajahan Jamaddar
Versus
State of West Bengal & Ors.**

(Via Video Conference)

Mr. Shambhu Nath Ray,
Mrs. Sharmistha Ray,
Ms. Tuniha Parvin For the petitioner.

Mr. Lalit Mohan Mahato ... for the State.

CAN 1 of 2020 is disposed of by taking up the writ petition for consideration.

Petitioner complains of police inaction.

Learned Advocate appearing for the petitioner submits that, there subsists a decree dated March 28, 2016 passed in Title Suit No.69 of 2010. There is a subsequent suit filed by some of the defendants in the previous suit being Title Suit No.2 of 2013. Such suit was dismissed on December 19, 2013. The petitioner lodged a complaint with the police claiming that, the defendants in Title Suit No.69 of 2010 were acting in violation of the decree. The police are inactive.

Learned Advocate appearing for the State, on the basis of written instructions, submits that, the disputes between the private parties are civil in nature and that, the police took steps on the complaint and

submitted a prosecution under Section 107 of the Code of Criminal Procedure, 1973.

The parties in Title Suit No.69 of 2010 are bound by the decree passed therein. The parties to such suit cannot be allowed to act contrary to the decree passed in such suit. The police will, therefore, take all necessary measures to ensure that, the parties in Title Suit No.69 of 2010 do not violate the decree passed therein.

W.P.A. No.7358 of 2020 is disposed of accordingly.

No order as to costs.

(Debangsu Basak, J.)