

12.11.2020.
Item no. 15.
Court No.5
ap

**C.O. No. 1414 of 2020
(Through Video Conference)**

**Sri Rajib Bose
Versus
Burul Sriguru Sangha & Another**

Mr. Anupam Kumar Bhattacharya,
Mr. Somnath Naskar,
Mr. Dilip Kumar Mandal,
Mr. Mirtunjoy Saha.

...For the petitioner.

This is an application filed by the plaintiff in Title Suit No. 525 of 2020 being aggrieved by an order dated September 14, 2020 passed by the learned Civil Judge (Junior Division), 5th Court at Alipore rejecting an application under Section 151 of the Code of Civil Procedure, 1908.

By the said order, the petitioner has prayed for police help for implementation of the order of ad interim injunction passed by the said Court on August 26, 2020.

The Court below while passing the impugned order observed that the petitioner had made a casual statement that the defendants were disobeying the order but had not specifically made out a case for grant of police help.

I have perused the impugned order as also the application filed under Section 151 of the Code of Civil Procedure. I find that just a line has been written in paragraph 6 of the said application stating that the

defendants were disobeying the ad interim order and police help was required. I also find that the petitioner had failed to state any specific instances or situations as to how and when the defendants had disobeyed the order of injunction.

The petitioner has also not stated in the said application whether they have approached the local police station for police help or whether any complaint was made with the police with regard to violation of the order of injunction.

Under such circumstances, the order impugned does not call for any interference.

The petitioner will be at liberty to prefer an appropriate application with specific instances and details of violation of the ad interim order of injunction if the occasion so arises. If such application is made, the same shall be decided on its own merit by the learned Court below independently, without being influenced by any of the observations made in this order.

With the aforesaid observations, the instant revisional application is disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Shampa Sarkar, J.)

