

S/L 14
09.8.2021
Court No.8
SD

WPA 11918 of 2021
(Via Video Conference)

Shyamal Kumar Dey
Vs.
State of West Bengal & Ors.

Mr. Mayukh Maitra
Mr. Rajesh Naskar

...for the Petitioner.

Mr. Anirban Roy
Ms. Amrita Panja Moulick

...for the State.

Mr. Siddhartha Banerjee
Ms. Sambrita Chatterjee
Ms. Punam Chaudhary

...for the Respondent Nos.4 to 44.

The appearance of the learned Advocates in the order dated July 29, 2021 be corrected. Ms. Amrita Panja Moulick be recorded as appearing for the State instead of petitioner.

Let this correction be incorporated in the order dated July 29, 2021.

The writ petition is taken up for consideration subsequent to the order dated July 29, 2021.

Pursuant to such order, police submits a report which is taken on record.

The report is accompanied by the photographs of the locale. The photographs show the nature of construction at the locale.

Photographs were called for in view of the fact that there subsists an interim order passed by a civil court. The Court is informed that there is a revisional application pending against the order passed by the civil court.

Consequently, till such time, the order of the civil court is not varied, modified or altered by a forum having jurisdiction, the police will ensure that the parties bound by the civil court's order adhere to the same.

It is clarified that this order will not prevent the private parties from having the order of the civil court varied, modified or altered in accordance with law before the appropriate forum.

Since the Court did not invite the parties to file affidavits, the allegations made in the writ petition are deemed to be denied.

Learned Advocate for the State will circulate a copy of the report along with photographs amongst the learned Advocate for the parties appearing in Court.

WPA 11918 of 2021 is disposed of without order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the parties, upon compliance of requisite formalities.

(Debangsu Basak, J.)