

16-08-2021
sl. no. 17
tkm/ct. 8

WPA 12496 of 2021
Sri Sankar Sardar
Versus
State of West Bengal & Ors.
(Through Video Conference)

Mr. D K Shyamal

... for the petitioner

Mr. Ansar Mondal

Mr. Somnath Naskar

... for the State

Mr. Monojit Pal

... for respondent nos. 5-8

Petitioner complains of police inaction.

Learned advocate for the petitioner submits that, despite a decree passed by the civil court subsisting, the private respondents are acting in breach thereof. The private respondents are trying to obstruct the free enjoyment of the immovable property of the petitioner.

State and private respondents are represented.

Learned advocate for the State submits that the complaint of the petitioner was registered as a First Information Report and that the investigation with regard thereto are in progress.

Learned advocate for the private respondents submits that an appeal is pending against the ex parte decree passed by the civil court.

So long the ex parte decree passed by the civil court stands, the parties governed by such decree must abide by and adhere to it. The police will ensure that the parties governed by the subsisting decree adheres to and abide by the same. The police will ensure that no breach of peace occurs at the locale.

Police will complete the investigation with regard to FIR as expeditiously as possible and submit its report before the jurisdictional court in accordance with law.

WPA 12496 of 2021 is disposed of without any order as costs.

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

(DEBANGSU BASAK, J.)