

14.12.2021.
Court No.13
Item No. 42
ap

**W.P.A. No. 13886 of 2021
(Through Video Conference)**

**Madhabi Barui (Mandal) & Anr.
Versus
The State of West Bengal & Ors.**

Ms. Pampa Dey (Dhabal).

...For the petitioners.

Mr. Amitesh Banerjee, Id. Sr. Standing Counsel,
Ms. Ipsita Banerjee.

...For the State.

Mr. Amitesh Banerjee, Senior Standing Counsel for the State submits that in respect of a complaint of assault on the petitioners, investigation was carried out and charge-sheet being No. 141 of 2021 dated 30th November, 2021 under Sections 447/341/323/506/34 of the Indian Penal Code has been submitted.

It is submitted that the learned Executive Magistrate, Canning Sub-Division, South 24 Parganas has also directed that the Civil Court's order passed in Title Suit No. 753 of 2020 of injunction against the private respondents, should be carried out.

Without going into the question of authority of the learned Executive Magistrate, Canning Sub-Division, South 24 Parganas to order the same, this Court directs the Officer-in-charge, Gosaba Police Station to ensure that the said order dated 4th December, 2020 in the aforesaid Title Suit No. 753 of

2020 passed by the learned 9th Civil Judge (Senior Division) at Alipore is enforced and complied with.

The Officer-in-charge, Gosaba Police Station shall also ensure that there is no breach of peace in the area and continue to maintain regular vigil thereat.

In that view of the matter, it is expected that the charge-sheet is put up for committal as expeditiously as possible.

With the aforesaid observations, the instant writ petition shall stand disposed of.

Counsel for the petitioner is directed to communicate a copy of this order to the private respondents immediately.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)