

24.11.2022
Court No.13
Item No.349

sp

WPA 1315 of 2021

Tapas Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sailen Naskar
...for the petitioner

Ms. Sipra Majumdar,
Mr. Khairul Alam
...for the State

Mr. Syamal Kr. Das,
Ms. Smita Pal,
Ms. Krishna Yadav
....Barrackpore Municipality

Mr. Rajdeep Bhattacharya,
Mr. Sanjib Sankar Majumdar
...for the respondent nos. 10 and 11

The petitioner seeks enforcement of an order of the Civil Court. It is submitted that despite injunction passed in T.S. No. 66 of 2020, the police have not only turned a blind eye but have, in violation of the order by permitting the private respondents to construct a marriage hall thereat. The petitioner's premises is being used as a car parking area for the marriage girl.

The remedy of the petitioner is to seek a finding from the Civil Court as regards the violation by the private respondents of any of its order. It is only upon the direction of the Civil Court that the police would take steps.

In those circumstances, no relief can be granted to the petitioner in the instant writ petition.

W.P.A. 1315 of 2021 shall stand dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)