

04-03-2022
ct no. 13
Sl.24
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RVW 7 of 2022
With
CAN 1 of 2022
In
WPA 17450 of 2021
Ambiya Mondal
-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Ms. Anamika Chakraborty,
Mr. Asis Bhattacharyya
... the petitioner (in person)

Mr. Pantu Deb Roy, Id. A.G.P.,
Mr. Naren Ghosh Dostidar
...for the State

RVW 7 of 2022 has been filed seeking review of order dated January 19, 2022.

It is submitted that the counsel for the State had stated incorrectly that the petitioner was not represented on the third occasion that day.

The petitioner is correct to some extent that there was representation on his behalf on November 1, 2021. There was, however, no representation on behalf of the petitioner on November 26, 2021.

Be that as it may, the said observations by this Court shall modify as above.

It appears from the submissions of the learned counsel for the petitioner and the two reports filed by the Officer-in-Charge, Matia Police

Station as also by the B.L. & L.R.O., Basirhat, 24 Parganas (North), that there is a civil suit pending between the parties and there is an order of status quo passed in such suit. Hence the petitioner may seek appropriate remedies for enforcement of the order of status quo from the civil Court itself.

It is submitted that an application seeking police help, inter alia, under Order 39 Rule 2(a) of the CPC, has been pending before the learned Civil Judge (Senior Division), Basirhat in T.S. No. 6 of 1999 since 10.01.2020.

The learned Court below shall, therefore, as expeditiously as possible, dispose of the said application, preferably within a period of one month from the date of communication of a copy of this order after due notice to all parties.

Hence, RVW 7 of 2022 is allowed and disposed of and the order dated January 19, 2022 shall stand reviewed and corrected in terms of this order.

In view of the disposal of the review application, the connected application being CAN 1 of 2022 shall also stand disposed of.

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.)