

30.06.2022
Sl. No.180
srm

W.P.A. No. 2335 of 2022

Ujjwal Majhi

Versus

The State of West Bengal & Ors.

Mr. Bhagat Chaudhuri,
Sk. Nizamuddin,
Ms. Barnali Gupta

...for the Petitioner.

Mrs. Amrita Panja Moulick

...for the State-respondents.

Md. Nure Zaman,
Mr. Jahangir Badsha

...for the Respondent Nos.5 to 11.

Perused the police report. The Officer-in-Charge, Kalna Police Station has categorically denied the allegation of inaction of the police. It appears from the report that pursuant to the complaint of the petitioner, that the respondent Nos.5 to 11 were trying to violate the order of ad-interim injunction and were trying to raise a construction, a general diary was registered. The police authorities visited the place of occurrence. The respondent Nos.5 to 11 were interrogated. The Officer, who was enquiring into the matter, was informed by the said respondents that the dispute was over ownership of the property. A civil suit was pending and they had neither threatened the petitioner nor had they tried to commit any violation of the ad interim order of

injunction. Persons in the locality, did not support the allegation of the petitioner as per the police report.

The police authorities directed the parties to maintain peace and tranquility. Orders passed by the learned Sub-Divisional Executive Magistrate, Kalna were complied with. General diaries have also been registered. The police report is taken on record.

Under such circumstances, the Court does not find any reason to interfere. The remedy of the petitioner is before the learned civil court with regard to the allegation of violation of the interim order. The police report also indicates that the parties are maintaining law and order and have not committed any violation of the ad interim order of injunction, so far. However, the police authorities shall ensure that the ad interim order of injunction is complied with by the parties, henceforth.

The other allegations and counter-allegations are not gone into and all such issues shall be decided in the civil suit.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)