

30.08.2022
Sl. No.564(ML)
srm

W.P.A. No. 2397 of 2022

Gouranga Patra

Versus

The State of West Bengal & Ors.

Mr. Bhaskar Chandra Manna

...for the Petitioner.

Ms. Chaitali Bhattacharya,

Mr. Kartick Chandra Kapas

...for the State-respondents.

Mr. Bharat Chandra Simai

...for the Respondent No.8.

Affidavit-of-service is taken on record.

It is the specific contention of the State-respondents that neither party had been able to produce any document showing that the permission granting authority had allowed their respective constructions.

The police authorities shall ensure that the ad interim order of injunction, which has been passed by the learned civil court in Title Suit No.208 of 2020, is not violated by the petitioner. However, if the petitioner has any permission from the appropriate authority, to construct on his portion of the land, such construction cannot be objected to as in the opinion of this Court, the issue of construction is beyond the scope of the interim order passed by the learned civil court. The police authorities will maintain peace.

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.)