

14.07.2022
Sl.No.419(ML)
srm

W.P.A. No. 7210 of 2022
Vedic Rishi Yajna Sevayatan Trust
Versus
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharyya,
Mr. Kallok Kumar Maity
... for the Petitioners.

Mr. Soumitra Mukherjee,
Mr. Pannalal Bandopadhyay
...for the State-respondents.

Despite service, none appears on behalf of the respondent Nos.4 to 6. Affidavit-of-service is taken on record.

Having perused the police report, it appears that the dispute is between two factions of an Ashram. The petitioner is a trust, run by the board of trustees. The police enquiry revealed that the respondent No.6 was the president at one point of time of the said trust. Subsequently, due to disputes, the president resigned.

The enquiry further revealed that there were allegations against the respondent No.4, who is the priest. As such prosecution under Section 107 of the Code of Criminal Procedure was submitted against the said respondent.

The enquiry did not reveal that the respondent Nos.5 and 6 had committed any offence. Moreover, according to the enquiry made by the police authorities, a civil suit is also pending over the dispute.

Having heard the rival contentions of the parties, it appears that the dispute is civil in nature and the right to run, manage and control the Ashram and all other claims of the parties, will be decided by the learned civil court.

The police authorities shall only ensure that the ad interim order of injunction passed in Title Suit No.105 of 2008 is not violated by either party, provided the said order is still subsisting.

It is made clear that the police authorities shall keep a sharp vigil in order to prevent any untoward incident.

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.)