

18.07.2022
Sl.No.440(ML)
srm

W.P.A. No. 8184 of 2022
Gazi Jahir Hossain & Anr.
Versus
The State of West Bengal & Ors.

Mr. Satyajit Mandal,
Mr. Malay Dhar,
Mr. S. Naskar

... for the Petitioners.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak

...for the State-respondents.

Mr. Sandip Das

...for the Respondent No.9.

Despite service, none appears on behalf of the respondent Nos.7, 8 and 10 to 19. Affidavit-of-service is taken on record.

The contention of the respondent No.9 is that the said respondent is not a party to the civil suit and the order of the civil court is not binding on the said respondent.

The respondent Nos.7 and 8 are the defendants in the civil suit.

The writ petition is disposed of with a direction upon the Officer-in-Charge, Dholahat Police Station, District-South 24-Parganas, to ensure that the order dated

April 21, 2022 passed by the learned Civil Judge (Junior Division), 1st Court, Diamond Harbour, in Title Suit No.367 of 2021 is complied with, provided that the interim order is still subsisting.

The police authorities are directed to ensure that the parties to the civil suit, do not commit any violation of the order of ad interim injunction.

The rights of the respondent Nos.9 to 19 with regard to the property in question have not been gone into. The said respondents are at liberty to take appropriate steps in the pending civil suit, in accordance with law. The parties to the suit and/or their men, agents, associates should not commit any violation of the order of ad interim injunction.

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.)