

16.06.2022
Court No. 19
Item no.70
CP

WPA No. 8538 of 2022

Narayan Chandra Pal alias Satya Narayan Pal & anr.
Vs.
The State of West Bengal & ors.

Mr. Pijush Kanti Hazra
Mr. Subrata Mukherjee
Mr. Sabyasachi Hazra

....for the petitioners.

Mr. Debasish Ghosh
Mr. Debapriya Chatterjee

....for the State.

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

The Officer-in-Charge, Chanditala Police Station shall maintain strict vigil and ensure that no law and order problem takes place.

The petitioners submit that the right, title and interest of the petitioners with regard to certain property within Chanditala Police Station pertaining to Mouza – Krishnarampur had been decreed by the learned Civil Judge (Junior Division), 1st Court at Serampore, Hooghly in Title Suit No. 235 of 2014. The defendants in the suit were also restrained by an order of permanent injunction from illegally ousting the petitioners from the suit property and disturbing the possession of the petitioners over the suit property as well as from creating any obstruction in

carrying out cultivation activities. The petitioners contend that the respondent nos. 4 to 6 have been disturbing in the cultivation. Thus, the petitioners approached the police authorities. The police authorities enquired into the matter and apprehending breach of peace a prosecution was submitted under Section 107 of the Cr.P.C.

Under such circumstances, the writ petition is disposed of with a direction upon the police authorities to ensure that the order of the civil court is not violated by the respondent nos. 4, 5 and 6 and the parties do not disrupt the law and order situation.

This order is subject to any further order that may be passed by a competent court of law in an appeal from the decree which the petitioner relies on.

The writ petition is disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)