

15.07.2022
Court No. 19
Item no.124
CP

W.P.A. No. 11660 of 2022

Sri. Sankar Das & anr.
Vs.
The State of West Bengal & ors.

Ms. Sreyanshi Majumdar

...for the petitioners.

Mr. S.P. Lahiri
Md. Nauroz Rahber
Ms. Anjana Mahebub

...for the respondent no. 10.

Mr. Ansar Mandal
Mr. Sougata Mitra

...for the State.

The petitioners allege violation of the order of interim injunction. It is alleged that the police authorities have not taken any steps to stop such violation of the ad-interim order.

Although the issues raised in the writ petition are sub judice before the civil court and a prayer for implementation of the order of injunction through police help has also been made before the learned civil court, this court is of the view that as a matter of public policy orders passed by a competent court of law, must be implemented and followed by the parties.

Mr. Lahiri, learned advocate appearing on behalf of the respondent no. 10, denies such allegation. He further submits that when the application for grant of police help is already pending before the learned court below, parallel proceedings before this court, should not be entertained.

Heard the parties. The police authorities must ensure that the ad interim order of injunction, passed by the civil court, must be implemented and obeyed by the parties, in case the same still subsists.

This order shall not be construed as a declaration of the correctness of the allegations made by the petitioners. The allegations of violation etc. are matters which will be decided by the civil court in an appropriate application.

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.)