

03.08.2022
Sl. No.46(ML)
srm

W.P.A. No. 12697 of 2022

Md. Hamidujaman & Ors.

Versus

The State of West Bengal & Ors.

Mr. Sanjib Dutta,
Mr. Manoj Kurmi
Ms. Nabanita Chatterjee

...for the Petitioners.

Mr. Pantu Deb Roy,
Mr. Pannal Bandopadhyay

...for the State-respondents.

Mr. Ashis Kumar Chowdhury,
Mr. Rajib Ghosh,
Mr. Rohan Paul

...for the Respondent No.4.

Affidavit-of-service is taken on record.

The police report is taken on record. It appears that prosecution under Sections 107 and 116(3) of the Code of Criminal Procedure had been submitted against the respondent Nos.4 and 5, on the basis of the complaint of the petitioner.

The writ petition is disposed of with a direction upon the Inspector-in-Charge, Chinsurah Police Station to implement the order of injunction allegedly passed by the learned civil court in favour of the petitioners, provided that the said order is still subsisting. Such implementation will

take place only if petitioners can furnish such order before the police authorities allegedly passed in favour of the petitioners in Title Suit No.141 of 2020.

With regard to the allegation of threat, the police authorities shall keep a vigil in order to ensure that no untoward incident takes. The allegation of encroachment, boundary dispute, possession etc. shall be decided in the civil suit.

This Court has not gone into the merits of the claim of the petitioners.

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.)