

04.08.2022
Court No.19
Monthly List
Item No.55
AP

WPA 13026 of 2022

Md. Noor Alom Mistry
Vs.
The State of West Bengal and Ors.

Mr. Debasish Kundu
Mr. Souma Subhra Ray
Ms. Chayanika Singh

... For the Petitioner.

Mr. Sadhan Halder
Mr. Avijit Sarkar

... For the State.

Mr. Sounak Bhattacharya
Mr. Sounak Mandal

... For the Respondent Nos.4 to 8.

Affidavit of service filed in Court today is taken on record.

The police authorities shall comply with the order dated 7th June 2022. The Officer-in-Charge, Rajabagan shall file compliance report before the learned lower Appellate Court, if the same has not yet been filed.

It is made clear that the police authorities shall take immediate steps for implementation of the order of ad interim injunction in the form of status quo that has been passed on May 19, 2022 in respect of Plot Nos.T-135/1 and T-146 Murry Road, in Misc. Appeal No.145 of 2022 arising out of Title Suit No.561 of 2022.

The question of violation of the ad interim order of injunction by the defendants in the suit, in collusion with the respondent Nos.4 to 8, cannot be adjudicated in this case.

Such issue will be decided by the learned lower Appellate Court, if the petitioner approaches the said Court in accordance with law.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied by the respondents.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Shampa Sarkar, J.)