

29.04.2022.
Item No. 12.
Court No.13
ap

W.P.C.R.C. No. 59 of 2022
Arising out of
W.P.A. No. 10841 of 2021

Pannalal Karmakar & Ors.
Versus
Sri Sunil Chandra Paul & Anr.

Mr. S.S. Arefin.

...For the petitioners.

Mr. Malay Bhattacharyya,
Ms. Sudipa Sengupta.

...For the alleged contemnors.

The alleged contemnors are personally present
in Court.

It appears that by the said order dated 1st July, 2021, this Court had directed parties to establish their respective rights in respect of the subject property in question before an appropriate Civil Court. It further appears that Indus Police Station was also directed to ensure that there is no breach of peace in the locale.

Admittedly, the parties have not approached any Civil or statutory forum.

The petitioners claim that the President and Secretary of the School have assaulted him, and a complaint in this regard has been registered with the Indus Police Station on 21st August, 2021. Indus Police Station shall initiate an appropriate enquiry, and take immediate steps pursuant to the said complaint.

This Court finds that there is serious doubt with regards to the title and possession of the property, which cannot be decided in contempt or writ proceedings.

Reiterating directions previously given to the Indus Police Station to ensure that there is absolutely no breach of peace, it is further ordered that the Officer-in-Charge, Indus Police Station shall be responsible for implementing the original order, as also the present one.

With the aforesaid observations, the contempt application shall stand disposed of.

The personal appearance of the alleged contemnors shall stand dispensed with.

Rule, if any, shall stand discharged.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)