

07.09.2022
Court No.13
Item No.603
pk

WPA 16820 of 2022

Hasi Saha Chowdhury
Vs.
The State of West Bengal and others

Mr. Farnaz Nasim

...for the petitioner

Mr. Tarak Nath Halder,
Mr. Sagnik Chatterjee

... for the private respondent nos.

Affidavit of service filed in Court is taken on record.

The petitioner and the private respondents are all family members and residing in the same premises. There is a partition suit being T. S. No. 128 of 2016 pending before the learned Judge, 5th Judge, City Civil Court at Calcutta. There is an order of injunction against creation of third party interest.

The petitioner is aggrieved that the private respondents are obstructing free ingress and egress to the said premises.

Counsel for the private respondents on the other hand submits that the petitioner herself is guilty for violation of an order of injunction passed by the Civil Court and has inducted third party in the said premises.

Since the suit is pending before the Civil Court, parties may agitate their civil disputes in the

said suit. The petitioner as well as the private respondents are warned against creating any breach of peace in the locale.

The Officer-in-Charge, Beniapukur Police Station shall ensure that there is no breach of peace in the area. Parties shall strictly abide by any order passed by the Civil Court.

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

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.)