

09.09.2022
Court No.13
Item No. 131
pk

WPA 17409 of 2022

**Md. Salim Khan
Vs.
State of West Bengal and Ors.**

Mr. Sankar Nath Mukherjee,
Mr. Niraj Gupta,
Mr. Aditya Biswas

... for the Petitioner.

Mr. Rwitendra Banerjee,
Mr. Sougata Mitra,
Mr. Shamik Bagchi,
Ms. Ankita Dey

... for the private respondents.

Mr. Amitesh Banrjee,
Mr. Suddhadev Adak

... for the State.

Affidavit of service filed in Court is taken on record.

The petitioner complains that despite injunction passed by the learned Civil Judge (Senior Division), Purulia in T. S. No. 218 of 2021, Baghmundi Police Station has not taken any steps.

Counsel for the private respondents submits that they are contesting the suit aggressively and that the petitioner has filed an application under Order 39 Rule 2A of the Code of Civil Procedure which is pending consideration.

Counsel for the State submits that the Dag Number, on which the petitioner claims title to a portion of a land, belongs to the State. Two proceedings under Section 107 of the Cr. P. C. have been instituted.

Since a civil suit is pending between the parties and there is application pending, Baghmundi Police Station shall not take any steps unless directed by the civil court.

The O. C., Baghmundi Police Station shall ensure that there is no breach of peace in the area.

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

There will be no order as to costs.

(Rajasekhar Mantha, J.)