

24.03.2022
Court No.13
Item No.5
AP

WPA 19351 of 2021

**Dibakar Safui
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Lakshminath Bhattacharya
... For the Petitioner.

Mr. Amal Kumar Sen
Mr. Suman Sengupta
... For the State.

Mr. Bapin Baidya
... For the Private Respondent.

The petitioner is aggrieved by the fact that the Kultali Police Station is not implementing an order dated 11th February 2021 passed by the learned Civil Judge (Junior Division), 3rd Court, Baruipur, South 24-Parganas in TS No.302 of 2020.

Counsel for the State, Mr. Amal Kumar Sen, submits that the police immediately visited the locale after receiving orders of the Civil Judge. The construction thereat has been stopped. The police will continue to maintain vigil at the said premises to ensure that the Civil Court's order is not in any way violated.

Counsel for the private respondent submits that the petitioner is guilty of suppression of facts and misleading both the Court below and this Court. It is submitted that the title deed based on which the petitioner obtained the injunction is non-existent and stale.

The private respondent may take appropriate steps before the Court below indicating the above. The Civil Judge (Junior Division) shall pass appropriate orders thereafter.

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

There shall be no order as to costs.

Report of the Kultali Police Station dated 7th December 2021 is kept with the record.

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

(Rajasekhar Mantha, J.)