

23-11-2022
ct no. 13
Sl.21
pk

WPA 23396 of 2022

Badal Kumar Jana
-Versus-
State of West Bengal & Ors.

Mr. Rabindranath Mahata,
Mr. Aritra Shankar Ray
....for the petitioner

Mr. Ashim Kumar Ganguly,
Mr. Subrata Das Gupta
... for the State.

Mr. Krishna Deo Das,
Mr. Balaram Pandit
... for the respondent nos. 4 to 8.

The petitioner has obtained a decree dated 25.02.2022 for declaration and injunction in T. S. No. 199 of 2020 against the private respondents. The private respondents have filed an appeal being Title Appeal No. 32 of 2022 before the learned District Judge, Paschim Medinipur. There is no stay of the order passed by the first Court.

In those circumstances, this Court directs the O. C., Datan Police Station to ensure that there is absolute no breach of peace in the area and that the petitioner is able to cultivate his land.

The aforesaid directions on the police is, however, subject to any order that may be passed by the learned District Judge, Paschim Medinipur or the learned Civil Judge (Senior Division),

Kharagpur in any proceeding arising out of a decree dated 25.02.2022 referred to hereinabove.

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.)