

23-11-2022
ct no. 13
Sl.334
pk

WPA 11268 of 2020

Pijus Mirja
-Versus-
State of West Bengal & Ors.

Mr. Gautam Banerjee,
Mr. Sandip Kumar Mondal,
Mr. Sumit Routh,
Ms. Priya Dey,
Ms. Chumki Das Bairagya
....for the petitioner

Mr. Ranjit Rajak
... for the State.

The writ petitioner complains that despite a decree dated 21st June, 1990 passed by the Third Munsif at Diamond Harbour in T. S. 118 of 1982 in favour of the petitioner's father, the private respondents are disturbing his peaceful possession. The father has since died. The petitioner submits that the private respondents are seeking to grab his property.

The remedy of the petitioner is to seek injunction before a civil court, inter alia, based on the decree.

Namkhana Police has taken out proceedings under Section 107 and 116 of the Cr. P. C. against the private respondents.

The O. C., Namkhana Police Station shall, however, maintain strict vigil on the premises and ensure that there is no breach of peace in the area.

The instructions of the O.C., Namkhana Police Station addressed to State advocate is taken on record.

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.)