

30-03-2023

ct no. 13

sl. 5

pk

WPA 1841 of 2023

Netai Halder

-Versus-

The State of West Bengal & Ors.

Mr. Partha Chakraborty,

Ms. Poulomi Dutta

Ms. Payel Basal

...for the petitioner

Mr. Santanu Kr. Mitra,

Mr. Sudip Sarkar

...for the State

Despite service of notice, the private respondent is not represented.

The petitioner is aggrieved that Narendrapur Police Station, South 24 Parganas has not complied with a direction of the learned Civil Judge (Sr. Division), 2nd Court at Baruipur dated 31.01.2022 passed in Title Suit No. 60 of 2021. An order of injunction dated 05.02.2021 was directed to be strictly enforced by the I. C., Narendrapur Police Station.

This Court is of the view that the police are duty bound to comply with any direction of the Civil Court specifically passed on them.

In the above circumstances, Narendrapur Police Station shall post a police picket at the said

premises to ensure that the order of injunction against making any construction on the scheduled property is not violated by the defendants in such T. S. No. 60 of 2021.

The cost of posting the police picket shall be borne by the petitioner. Such costs shall be communicated to the petitioner by the police and deployment shall take effect immediately after payment of costs.

Let a detailed report, after deployment, be submitted to the court below by the Narendrapur Police Station.

The report of the Narendrapur Police Station dated 25.02.2023 is taken on record.

The writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)