

20.03.2023
Court No.13
Item No.12
AP

WPA 5402 of 2023

**Sri Sunil Chowdhury
Vs.
The State of West Bengal and Ors.**

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. K.R. Ahmed
Mr. Rudranil Das

... For the petitioner.

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata

... For the State.

The petitioner is aggrieved by alleged inaction on the part of the Shibpur Police Station in execution of a decree. The executing Court in its order passed in TS No.546/2019, directed the Bailiff to hand over possession of the suit property to the petitioner. Police help was ordered by the Civil Court. The petitioner deposited all costs with the Shibpur Police Station. Yet no assistance was given by the police.

This Court expresses displeasure at the conduct of the Shibpur Police Station. Orders passed by the Civil Court must be complied with under any circumstances and without demur. The Shibpur Police is warned against such conduct in future.

Mr. Mahata, learned counsel for the Police, has fairly admitted his client's omissions. It is, however, submitted that the police are willing to comply with the directions for grant of assistance to the Bailiff of the Civil Court in favour of the petitioner.

In the above circumstances, the Shibpur Police shall deploy appropriate police force as already paid for by the petitioner on 31st March, 2023 at 1 pm. The bailiff of the Civil Court shall deliver possession as ordered by the Civil Court on the said date and time.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall 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.)