

22.05.2023
Ct. 7
D/L 09
ab/sb

WPA 7652 of 2023

Sadiful Islam Mondal

-Vs-

The State of West Bengal & Ors.

Mr. Shamim ul Bari
Mr. Robiul Islam
Mr. Raju Mondal

.....for the petitioner

Mr. Santanu Kr. Mitra
Mr. Subrata Das

.....for the State

The affidavit-of-service and the Report filed by the State in Court today are kept on record.

The grievance of the petitioner is that the private respondents are disturbing the petitioner in the matter of cultivation of the plots which the petitioner claims to be the owner thereof.

It appears from the records that an ad interim order of injunction in Title Suit No. 407 of 2022 has been passed restraining the defendants from entering into the suit property and dispossessing the plaintiff and causing any disturbances in the peaceful possession of the plaintiff, who is the petitioner herein over the suit property till the next date as fixed by the civil Court.

It further appears from the record that on the prayer made by the present petitioner in the said title

suit for police assistance under Section 151 of the Code of Civil Procedure, the Officer-in-Charge, Thanarpara Police Station was directed to ensure that the order of ad interim temporary injunction passed on 16.11.2022 is not violated by the defendants who are the private respondents in this writ petition.

Mr. Mitra, learned advocate appearing for the State submits that the Police Authorities have already taken steps and have directed the private respondents in this writ petition to comply with the order passed by the civil Court.

In view thereof, no further order is required to be passed at this stage. It is observed that the Police Authority is duty bound to obey the order passed by the civil Court till such order subsists.

WPA 7652 of 2023 is disposed of accordingly.

(**Hiranmay Bhattacharyya, J.**)