

19.01.2023
Court No.13
Item No.26
pk

WPA 19128 of 2022

**Manirul Shaikh & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Lal Ratan Mondal,
Ms. Sk. Kiran

... for the Petitioners.

Mr. Sumanta Das,
Ms. Mallika Manna

... for the respondent nos. 8 and 9

The writ petitioners are aggrieved that despite order dated 17.03.2021 passed by the Executive Magistrate, Krishnagar Sadar, Nadia in Case No. 853 of 2020 under Section 147 of the Cr. P.C., Nakashipara Police Station has not enforced the same. The Magistrate has stipulated that the order will remain in force until any order is passed by any competent Civil Court.

The respondent has not filed any civil proceeding establishing his exclusive right to the pathway.

In those circumstances, the Nakashipara Police Station is hereby directed to strictly enforce the order dated 17.03.2021 passed by the Executive Magistrate, Krishnagar Sadar, Nadia and ensure that the petitioners have access to the pathway in question.

Needless to mention that if the private respondents obtain any order of any Civil Court, Nakashipara Police Station shall comply with and enforce the said Civil Court's order.

With the aforesaid observations, 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.)