

12.04.2023.
Court No.13
Item No. 327
ap

W.P.A. No. 20535 of 2022

**Mohammed Ali Noor Molla
Versus
The State of West Bengal & Ors.**

Mr. Amit Kumar Nag,
Mr. Ranjabati Ray.

...For the petitioner.

Mr. Subhabrata Datta,
Mr. Banibrata Datta.

...For the State.

The petitioner complains that notwithstanding injunction passed by the Court of the Civil Judge (Senior Division) 1st Court at Barasat in Title Suit No. 425 of 2010, the private respondents continue to violate the same.

The petitioner approached this Court earlier in W.P.A. No. 15032 of 2022. The said writ petition was disposed of on 24th August, 2022 ordering that there will be no construction on the property.

Liberty was also reserved to move the Civil Court under Order XXXII, Rule 2A of the Code of Civil Procedure. The petitioner filed the same.

A further writ petition was filed to enforce an order of injunction already passed very recently, in the opinion of this Court should not be entertained.

The petitioner may take appropriate steps in this regard.

In so far as the complaint to the Technocity Police Station is concerned, this Court is of the view that the petitioner has the effective alternative remedy under Section 156(3) of the Code of Criminal Procedure.

With the aforesaid directions, the instant writ petition shall stand 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.)