

11-01-2023
ct no. 13
Sl.17
sp

WPA 20601 of 2022
Urmila Ghosh & Ors.
-Versus-

The State of West Bengal & Ors.

Ms. Manali Biswas

....for the petitioners

Mr. Kingsuk Mondal

...for the respondent nos. 7 to 13

Affidavit of service filed in Court today is taken on record.

The petitioners are residing in a premises that stood in the name of the late husband of the petitioner no.1. The other petitioners are the four daughters, one of whom is married. They all reside in the same premises. They have filed T.S. No. 302 of 2022 before the learned Civil Judge (Junior Division), Berhampore, Murshidabad, and have obtained an order of injunction against the private respondents, who are preventing them from constructing a boundary wall around their premises. It is submitted that notwithstanding injunction, the private respondents are attempting to grab the property.

A complaint has been lodged with the Berhampore Police Station, Murshidabad in this regard on June 26, 2022, but no steps have been taken.

While it is true that the petitioners are to seek enforcement of the order of injunction before the Civil Court itself, the Berhampore Police Station are directed to strictly enforce the order of injunction dated July 13, 2022, which is stated to have been extended from time-to-time and is subsisting as on date.

The petitioners shall file appropriate application before the Civil Court, seeking formal police help and directions to the Berhampore Police Station. The petitioners may also file application stating that the private respondents are violating the order of injunction.

Counsel for the private respondents submits that his clients are not violating the order of injunction.

In view of the above, the Berhampore Police Station shall maintain strict vigil on the property and ensure enforcement the order of injunction.

The Berhampore Police Station shall also ensure that the petitioners are not disturbed in the process of construction of their boundary wall on their premises.

In the event of any modification or change in the order by the Civil Court, the Berhampore Police Station shall comply with the same strictly and submit a report before this Court, within a period of

one week from date and as and when called for by the Civil Court.

The petitioners shall serve a copy of this order to the Officer-in-Charge, Berhampore Police Station, Murshidabad.

With the aforesaid observations, the instant 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.)