

17-04-2023
ct no. 13
sl. 294
sp

WPA 20763 of 2022

Yusuf Paik

-Versus-

The State of West Bengal & Ors.

Ms. Somashree Dey

...for the petitioner

Mr. Ashim Kr. Ganguli,
Mr. Bellal Shaikh

...for the State

1. The petitioner complains that notwithstanding the order of the learned District Judge in Misc. Appeal No. 171 of 2020, the private respondents continue to violate the same.

2. This Court is of the view that the petitioner ought to have obtained appropriate directions on the Civil Court/Trial Judge for a direction upon the police to enforce the order of injunction.

3. The petitioner may do so in accordance with law.

4. The Sundarban Coastal Police Station has filed a reported dated 19.09.2022, which is kept with the record.

5. It appears from the record that on the petitioner's complaint, an FIR being Sundarban Coastal Police Station Case No. 128/22 dated 09.09.2022 has been registered. There is prima facie evidence against the private respondents.

6. In that view of the matter, the Officer-in-Charge, Sundarban Coastal Police Station shall ensure strict enforcement of the order of injunction passed by the Civil Court as indicated hereinabove.

7. The petitioner shall file a report before the learned Civil Judge (Sr. Division), Alipore in T.S. No. 604 of 2020. The aforesaid directions on the police shall become operable once the petitioner produces evidence of the subsistence of the order of injunction.

8. With the aforesaid observations, the instant writ petition shall stand disposed of.

9. There shall be no order as to costs.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)