

03.05.2023.
Court No.13
Item No. 345
ap

W.P.A. No. 22689 of 2022
Mr. Satyanarayan Shaw & Anr.
Versus
The State of West Bengal & Ors.

Mr. Chandra Sekhar Banerjee,
Mr. Shamit Dutta.

...For the petitioners.

Mr. Jaganath Ganguly.

...For the respondent nos.5 & 6.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioners claim that the private respondents are violating the order of injunction passed by the learned Civil Judge in Title Suit No. 121 of 2022.
3. Counsel for the private respondents also submits that his clients have also filed a civil suit being Title Suit No. 347 of 2021 in which injunction is operating which is now pending before the learned Civil Judge (Junior Division), Bidhannagar.
4. This Court is of the view that the petitioners may seek enforcement of the order of the Civil Court under the provisions of the Order 39, Rules 2A of the Code of Civil Procedure and avail any other remedies in accordance with law.
5. This Court is also of the view that the disputes between the parties are civil in nature and civil remedies sought may be pursued in accordance with law.

6. Bidhannagar South Police Station shall ensure that there is no breach of peace in the area.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. 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.)