

27.03.2023
Court No.13
Item No.357
pk

WPA 23307 of 2022

**Ashoka Hawai and Shoes Private Limited
Vs.
The State of West Bengal and Ors.**

Mr. Sabir Ahmed,
Mr. Avishek Guha,
Mrs. Debarati Das,
Ms. Akansha Chopra,

... For the petitioner.

Mr. Sumitava Chakraborty

... For the private respondents.

Mr. Naba Kumar Das,
Mr. Subhabrata Das

... For the State.

Further report has been filed by the Bhangore Police Station dated 15.03.2023 and the same is taken on record.

It appears that as many as nine civil suits are pending in respect of land on which the petitioner's factory is situated, particulars whereof are set out below:-

- “1.**Title Suit no 449/2016**.....Amit Das & Others-Plaintiff vs Abbas Metal Industries Private Limited....Defendants which is pending before Ld 6 Civil Judge (Jr Divn.) at Alipore,
2. **Title Suit no 1716/2018**Amit Das & Others-Plaintiff vs Riaz Ahmed....Defendants, which is pending before Ld 1st Addl. Civil Judge (Jr Divn.) at Alipore, S 24 Pgs,
- 3.**Title Appeal No 143/2018**... Amit Das & Others-Appellant vs Abbas Metal Industries Private Limited.... Respondents, which is pending before Ld 13th Addl. District Judge, at Alipore,S 24 Pgs,
4. **Title Suit no 987/2019** Abbas Metal Industries Private Limited -Plaintiff vs Amit Das & OthersDefendants which is pending before Ld 2nd Civil Judge (Jr Divn.) at Alipore,
5. **Title Suit no 1150/2019**.....Amit Das & Others-Plaintiff vs Abbas Metal Industries Private Limited....Defendants which pending before Ld 6th Civil Judge (Jr Divn.) at Alipore,

6. **The Suit no 27/2020**...Amit Das & Others-Plaintiff vs Ashoka Hawai & Shoes Private Limited....Defendants which is

7. **Title Suit no 781/2021**... Amit Das, Lalbabu Molla & Others-Plaintiff vs Ashoka Hawai & Shoes Private Limited....Defendants which is pending before Ld 7 Civil Judge (Sr. Divn.) at Alipore,

8. **Title Suit No 1189/21**...Md Farukul islam, Lalbabu Molla @ Altu... Plaintiff vs Amit Das and others..... Defendants, which is pending before Ld 7th Civil Judge (Sr. Divn.) at Alipore

9.**Title Suit No 557/22** Ashoka Hawai & Shoe Pvt. Ltd.....Plaintiff vs Farukul Islam, Lalbabu Molla @ Altu and others.... Respondents.... which is pending before Ld 7th Civil Judge (Sr. Divn.) at Alipore.”

Six of the nine suits have been filed by one Amit Das. There is an order of injunction in T. S. No. 1189 of 2021. There is equally an order of injunction in T. S. No. 557 of 2022 filed by the writ petitioner.

Bhangore Police Station has registered three several FIRs. First being FIR No. 77 of 2022 dated 05.02.2022 on the complaint of one Lalbabu Molla; Second, FIR No. 89 of 2022 dated 10.02.2022 on the complaint of Madhuporna Pal on behalf of the writ petitioner; thirdly on the complaint of one Azizar Ahmed Khan, the Director of the writ petitioner, FIR No. 639 of 2022 dated 03.10.2022 is registered.

It is ordered that the investigation into the aforesaid FIRs is completed as expeditiously as possible preferably within a period of three months from the date of communication of a copy of this order.

The petitioner may take appropriate steps in the pending civil suits to enforce rights in respect of the property.

Bhangore Police shall, however, ensure that there is absolutely no breach of peace whatsoever in the property.

The petitioner or its employees shall not in any be harmed.

Bhangore Police shall also strictly comply with any order that may be passed by the Civil Court in the aforesaid civil suits.

The writ petition is disposed of.

There will 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.)