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17.10.2023
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Ct 14

WPA 23504 of 2023

Sri Sri Narayan Jew
-vs-
State of West Bengal & ors.

Mr. Gopal Ch. Ghosh
Mr. Sayan Sengupta
...for the petitioner

Mr. Anirban Ray
Mr. Sk. Md. Galib
Mr. Abu Siddique Mallik
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The sebaite of the petitioner is moving this application on behalf of the deity. The trust in question organizes Durga Puja every year at the property belonging to the trust. The private respondents have been disturbing the peaceful possession of the petitioner in respect of such property. The petitioner was constrained to file a suit. By an order dated 05.01.2023, the learned Civil Judge, Senior Division, 2nd Court, Chinsurah in Title Suit No. 03 of 2023, the defendants were restrained to create any sort of

disturbance to the work of the plaintiff as Sebayat to the Deity in respect of the Deity Property. But the private respondents did not relent. By an order dated 14.08.2023, the learned Judge allowed an application under Section 151 of the CPC and directed the Officer in Charge of Pandua Police Station to take necessary measures for implementation of the order dated 05.01.2023. In spite of this, the private respondents continued to disturb the petitioner and even put a padlock on the gates of the premises.

Learned counsel appearing on behalf of the State relies on the report and and submits as follows. There is a civil suit pending as referred to above. However, on the complaint of the petitioner, the respondent authorities had the locks put on the grille gates of the Durga temple removed/opened. A proceeding was also initiated under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

It appears that the prime grievance of the petitioner has already been redressed by the respondent authorities.

Therefore, no further order need be passed in this regard.

However, the police authorities shall maintain a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)