

19.06.2023.
Court No.13
Item No. 240
ap

W.P.A. No. 26165 of 2022

**Biswanath Halder
Versus
The State of West Bengal & Ors.**

Mr. Gobinda Chandra Baidya,
Mr. Gobinda Baidya.

...For the petitioner.

Mr. Santanu Kumar Mitra.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner complains that the private respondents, notwithstanding the order of the Civil Court passed in Title Suit No. 251 of 2021 by the learned Civil Judge (Senior Division) 1st Court, Baruipur, South 24 Parganas, are obstructing him from effecting construction on the property and for availing the electricity connection.

3. The report of the Inspector-in-charge, Sonarpur Police Station, Baruipur Police District dated 12th December, 2022 filed in Court today be taken on record.

4. It appears from the report that Sonarpur Police Station, Baruipur Police District has registered an FIR being No. 711 dated 26th August, 2021 and investigation has been completed and charge-sheet has been filed.

5. This Court finds that there is no inaction on the part of the police. Further complaints have been

addressed to the Sonarpur Police Station as G.D. Entries in view of the pending civil litigation.

6. The petitioner may obtain orders specifically on the police from the Civil Court.

7. Since an application under Section 151 of the Code of Civil Procedure is pending, the police shall strictly comply with any order that may be passed by the Civil Court and ensure that there is absolutely no beach of peace in the area.

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

9. There will be no order as to costs.

10. 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.)