

01.05.2023.
Court No.13
Item No. 5
pk

W.P.A. No. 28257 of 2022

**Hena Manna
Versus
The State of West Bengal & Ors.**

Mr. Ratan Das

...For the petitioner.

Mr. Asim Kumar Ganguly,
Mr. Sudip Sarkar

...For the State.

Mr. Lal Mohan Basu,
Mr. Arkadipta Sengupta

... For the respondent no. 4.

1. The writ petitioner complains that Metiabruz Police Station has not complied with an order of injunction dated 17.12.2022 passed by the learned Civil Judge(Senior Division), Third Court at Alipore in T. S. No. 1718 of 2022
2. Counsel for the State submits that they have never been shown a copy of the order till date although some communication has been addressed to them.
3. Counsel for the private respondent denies ever having come near the petitioner's property or effecting construction thereat.
4. Counsel for the petitioner, however, submits that the private respondent is contesting the suit and aware of the order of injunction.
5. This Court is of the view that the petitioner ought to have secured appropriate and specific directions on the Metiabruz Police Station to comply with any order of injunction.

6. In that view of the matter, the petitioner may take out appropriate applications in the court below complaining, inter alia, of violation of its order of injunction and also seek specific directions on the Metiabruz Police Station in this regard.

7. The Metiabruz Police Station shall strictly comply with any order that may be passed on them specifically by the Civil Court.

8. Since the private respondent said that they are not interested in the property and live far away, it is expected that the order of injunction is not in any way violated by the private respondent.

9. Counsel for the State submits that on complaints of the petitioner and the private respondent against one and another, FIR No. 282 dated 22.12.2022 and FIR No. 271 dated 01.12.2022 have been registered.

10. It is expected that investigation is completed within two months from date.

11. The report of the O.C., Metiabruz Police Station dated 02.01.2023 is taken on record.

12. The writ petition is disposed of.

13. There will be no order as to costs.

14. 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.)

