

17.02.2023.
Court No.13
Item No.545
pk

W.P.A. No. 9071 of 2020
Sri Nandalal Shaw
Versus
The State of West Bengal & Ors.

Mr. S. Maity,
Mr. Subhobrata Bandyopadhyay
...For the petitioner.

The writ petitioner claims that the land-in-question was purchased by his late mother and the decree dated 28.03.2017 has been passed in her favour by the learned Civil Judge (Junior Division), Third Court at Asansol in T. S. No. 141 of 2014.

The writ petitioner complains that notwithstanding the decree, the private respondents have effected constructions over the property belonging to him.

Asansol Police has filed a report dated 15.02.2023, which is taken on record.

It is submitted that even prior to the purchase of the land by the petitioner's mother, religious activities like 'Durga Puja and Ganesh Puja' were reformed in the said premises. Local residents have also requested the police to allow such functions to continue.

This Court is of the view that since the petitioner is enjoying the decree from the Civil Court, he may seek execution thereof.

Asansol Police shall strictly comply with any order that may be passed by the Civil Court in execution of the aforesaid decree dated 28.03.2017.

In view of the above, the writ petition is disposed of.

There will be no order as to costs.

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.)