

Sl.No.

333 06.12.2024

Court

No. 35

G.S.Das

WPA 11583 of 2023

Shiw Shankar Shaw

-Vs-

State of West Bengal & Ors.

Mr. Subhasish Pachhal

... for the petitioner(s)

Mr. Amitesh Banerjee, Id. Sr. St. Counsel

Mr. Tarak Karan

... for the State respondent(s)

The petitioner complains that in spite of the injunction order having been made absolute in connection with T.S. 203 of 2011 by the learned Civil Judge (Jr. Divn.), 5th Court, Howrah and the appeal preferred at the behest of the private respondent in respect of the said order having failed, the present petitioner is being obstructed from raising his boundary wall on one side.

To that effect, the petitioner has complained before the police authorities.

However, no assistance has been rendered by the police authorities and the private respondents are obstructing in the construction of such boundary wall.

In view of the injunction order so passed by the learned Civil Judge (Jr. Divn.), 5th Court, Howrah, the petitioner would approach the Civil Court under the relevant provisions of law for police assistance and/or police protection for construction of such boundary wall before the learned Civil Judge (Jr. Divn.), 5th Court, Howrah.

If the learned Civil Judge is pleased to pass an order, the police authorities would respect and obey such order as also implement such order passed by the learned Civil Judge.

In view of the civil court's order for allowing the petitioner to enjoy the peaceful possession, I direct that no

breach of peace and tranquility takes place at the locale.

With the aforesaid observations, WPA 11583 of 2023 is disposed of.

Since affidavits are not invited, the allegations and/or accusations made in the writ petition are deemed not to have been admitted.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)