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13.11.2024
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ct.no.35

W.P.A.12422 of 2024

**Sek Abdul Said
Versus
The State of West Bengal & Ors.**

Mr. Biswarup Chatterjee
Ms. Pampa Dey (Dhabal).
...for the petitioner.

Mr. Tapan Mukherjee
Ms. Sangeeta Roy.
...for the State-respondents.

Affidavit-of-service so filed by the petitioner
be kept with the record.

Petitioner is aggrieved by the fact that in spite of the learned Civil Judge (Junior Division), Kharagpur, Paschim Medinipur-in-Charge passing direction on 14.07.2022 directing not to disturb the peaceful possession of the petitioner in the property and further directing its order dated 26.09.2022 to the O.C. Narayangarh P.S. to take steps for providing police aid for implementation of the earlier order dated 14.07.2022, no steps have been taken as complained of by the petitioner.

Learned advocate appearing for the State has submitted a report. Report reflects that two cases being Narayangarh P.S. Case No.21 of 2021 and Narayangarh P.S. Case No.124 of 2021 were registered for investigation and police authorities

submitted charge-sheet in connection with the said cases. Proceedings have been drawn under Section 107 of the Code of Criminal Procedure on or about 18.04.2024. The orders which were passed by the civil court were in the year 2022. Specific direction was there. Once an order is passed by a court of law and it has not been set aside by any higher forum, it is the duty of the police officer to respect and obey such order.

Accordingly, the Officer-in-Charge, Narayangarh Police Station is directed to respect and obey the order dated 26.09.2022 passed by the learned Civil Judge (Junior Division), Kharagpur, Paschim Medinipur-in-Charge. It is further directed that the Officer-in-Charge, Narayangarh Police Station would strictly adhere and comply with the order and if he has any submission to make, he would make necessary application before the learned Civil Judge (Junior Division), Kharagpur, Paschim Medinipur-in-Charge for any modification, variation and/or alteration of the said order but till the order subsists it is the bounden duty of the police officer to obey and respect the same.

With the aforesaid observations, WPA 12422 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the learned advocate for the State be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)