

28.03.2024.
Item no. 61.
Court No.19
ap

CPAN 737 of 2023
In
W.P.A. No. 9528 of 2022

Paresh Ghosh & Ors.
Versus
Kamanasish Sen

Mr. Bibek Jyoti Basu,
Mr. Uttam Kumar De,
Ms. Jamuna Saha.

...For the applicants.

Mr. Pantu Deb Roy, ld. AGP,
Ms. Subhra Nag.

...For the alleged contemnor.

A compliance report has been filed before this Court. The same has been handed over to the applicants.

The applicants are dissatisfied with the order passed by the alleged contemnor. It is the specific contention of the applicants that no hearing was given to them. The order passed by the Superintendent of Police, Purba Bardhaman was only a eye-wash. The pendency of the suit could not be a reason for rejection of the prayer of the applicants for police assistance, when the applicants were in possession of the land and were cultivating thereat.

The allegations made by Mr. Basu, learned Advocate appearing on behalf of the applicants, are on the merits of the order passed by the Superintendent of Police, Purba Bardhaman.

This Court is not in a position to go into the merits of the findings.

Admittedly, documents with regard to the pendency of Title Suit No. 111 of 2022 before the learned Civil Judge (Junior Division) 3rd Court, Purba Bardhaman have been annexed to the report.

Under such circumstances, the instant contempt application is disposed of. The contempt proceedings are dropped.

Liberty is granted to the applicants to challenge the order passed by the Superintendent of Police, Purba Bardhaman, by filing an appropriate application before the appropriate forum, in accordance with law.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Shampa Sarkar, J.)