

74 05.11.2024  
NB Ct. 17

**CPAN 967 of 2024**

In  
WPA 24839 of 2023

Mangal Das & Ors.  
Vs.  
Sri Subhankar Roy

Mr. Santimoy Bhattacharyya,  
Mr. Ziaul Haque,  
Mr. Amit Bikram Mahata.  
...for the applicant/petitioner.

Learned counsel appearing on behalf of the applicants/petitioners submits as follows. By an order dated 17.01.2024, this Court, inter alia, directed the police authorities to keep a sharp vigil at the locale, ensure that no breach of peace took place and see to it that no order of a Court was violated. The police deliberately violated this order by not taking steps in respect of serious transgressions committed by the private respondents. The private respondents on several occasions made attempts to take over possession of the land in question and assaulted and threatened the petitioners.

It appears from the order dated 17.01.2024 that this Court recorded about the police authorities taking steps by instituting a proceeding under Section 107 of the Code. Therefore, this Court did not think fit to pass any other order in this regard. However, the police authorities were directed to keep a watch at the locale and act in case of breach of peace or violation of Court's order.

If the private respondents had subsequently committed breach of peace or violated any order, it shall be open to the petitioners to take recourse to appropriate provisions of law for taking them to task. For a subsequent cause of action, the petitioners are also entitled to move an appropriate application before this Court.

However, no case is made out of a willful and deliberate violation of this Court's order.

Therefore, the application is disposed of without any further order, even as to costs.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**