

94 24.09.2024

G.S.Das

Prasenjit Das & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Shamik Bagchi
Mr. Dilip Kumar Mandal
... for the petitioners
Mr. Susovan Sengupta
Mr. Tarak Karan
... for the State
Mr. Pradip Kumar Kundu
Mr. Sk. Abdus Salam
... for the respondent no.5
Mr. Supratick Shyamal
... for the respondent no.6

Report submitted by the State be
kept with the record.

The petitioners submits that the petitioners are aggrieved because of continuous violations of the injunction order dated 12.09.2023 and 02.07.2024 passed in Title Suit No. 1410 of 2023 by the learned Civil Judge (Jr. Division), 6th Court, Alipore.

Learned advocate for the private

respondent is also present.

I have considered the report having regard to the nature and dispute and the representation so made by the present petitioner, I am of the view that the police authorities should give respect and honour to the order of the learned Civil Court as a matter of public policy.

However, this order will not entitle any of the parties to claim any right, title and interest over the property until and unless the appropriate Civil Court adjudicates the same.

The police authorities, to the limited extent, will check as they have been doing, as is reflected from the report, that no breach of peace takes place at the locale in respect of the dispute which has been canvassed.

In case, there are aggravated

circumstances, the petitioner would be at liberty to approach the appropriate jurisdictional court.

With the aforesaid observations, WPA 19361 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Let a copy of the report be handed over to the learned advocate for the petitioner as well as the private respondent nos. 5 and 6.

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

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all

requisite formalities.

(Tirthankar Ghosh, J.)