

D/L.146.
October 1, 2024.
MNS.

WPA No. 21497 of 2024

Lalpari Mondal
Vs.
The State of West Bengal and others

Mr. Raja Biswas,
Mr. Abhijit Srkar,
Mr. Debojyoti De

... for the petitioner.

Ms. Sabnam De Bardhan,
Ms. Tuli Sinha

...for the State.

The learned Advocate appearing for the petitioner submits that the learned Civil Judge (Junior Division), 3rd Additional Court at Alipore in Title Suit No. 2025 of 2023 passed an ad interim order of injunction on December 22, 2023. Subsequently, the learned Civil Judge by an order dated April 1, 2024 directed the police authorities to implement the ad interim order of injunction. The learned Advocate appearing for the petitioner submits that taking advantage of the order dated April 1, 2024, the private respondent with the assistance of the police authorities have ousted the family members along with the goods and articles lying therein of the petitioner from the property-in-question.

The learned Advocate appearing for the State files a report of the Officer-in-Charge of

Purba Jadavpur Police Station, dated September 4, 2024, which is taken on record. It appears from the said report that padlocks were placed at every door of the suit premises and the keys of the vacant suit premises were handed over to the plaintiff, namely, Mr. Pramod Kr. Shah, in terms of the order passed by the Civil Court.

The learned Advocate appearing for the petitioner submits that petitioner has already filed an application before the learned Civil Court praying for vacating the ad interim order of injunction.

Since the civil court is in *seisin* over the dispute between the private parties in respect of an immovable property, the petitioner is left free to approach the civil court for appropriate reliefs.

However, the Officer-in-Charge of the Purba Jadavpur Police Station is directed to ensure that no breach of peace takes place at the locale.

It is recorded that Ms. Sabnam De Bardhan appeared on September 25, 2024 along with Mr. Suman Sengupta and Ms. Tuli Sinha, learned Advocates.

With the above observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy, if applied for, be
given to the parties.

(Hiranmay Bhattacharyya, J.)