

05-01-2024

ct no. 13

Sl. 1

sp

WPCRC 4 of 2024

In

WPA 17062 of 2022

Md. Asif Khan @ Aasif Khan & Anr.

-Versus-

Umar Faruque & Ors.

Mr. Shan Shah,

Sk. Abumusa

.....for the petitioners

Mr. Asish Kumar Guha,

Mr. Benazir Ahmed

...for the alleged contemnor no. 1

Md. Safiulla Mondal

...for the alleged contemnor nos 2, 3 and 4

1. There is some dispute between the private respondents and the petitioners as to whether the shop room has been closed.
2. The Officer-in-Charge, Goalpokhar Police Station under Islampur Police District submits that he has joined his post on May 26, 2023. He has come to know from enquiries that the shop room was lying locked much before the order dated September 7, 2022.
3. It appears that a subsequent order has been passed by this Court on March 21, 2023 in WPA 1291 of 2023, which is annexed to the contempt application. The

said order has not been placed formally before this Court on the earlier day.

4. In the above circumstances, this Court directs the parties to agitate their right to possession in the property in the pending Civil Suit being T.S. 54 of 2018. The parties may make appropriate application in the Court below to seek relief.
5. The contempt application is thus disposed of. Rule, if any, shall stand discharged.
6. The personal presence of the alleged contemnors is dispensed with.
7. There shall be no order as to costs.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)