

30.09.2024
Sl. No. 65
g.b.
Court No.07

W.P.A. 22625 of 2024

Sk. Areful Islam
-Vs-
The State of W. B. & Ors.

Mr. Debasis Sur
Mr. Nrinmoy Chatterjee
.....For the Petitioner
Ms. Sabnam De Bardhan
Ms. Mitali Mukherjee
.....For the State

Affidavit of service filed in court today is taken on record.

The petitioner claims to be a recorded bargadar in respect of a plot of land being L. R. Dag No.593 within Mouza- Anandapur under Police Station Anandapur in the district of Paschim Medinipur measuring about 86 decimal. The petitioner filed title suit no. 247 of 2022 and in the said suit the learned Civil Judge (Jr. Division), 3rd Court, Paschim Medinipur passed an interim order of injunction on April 26, 2022 thereby restraining the defendants that is the private respondents herein from interfering with the peaceful possession of the plaintiff/petitioner herein and also that they may not do any act that may change the nature and character of the A schedule suit property in any manner till May 10, 2024.

The learned advocate for the petitioner submits that the said ad interim order of injunction has been extended from time to time and the same is still in force.

The learned advocate for the petitioner further submits that the petitioner lodged a complaint with the Officer-in-charge, Anandapur Police Station to ensure that the private respondents do not create any disturbance in the matter of cultivation.

It has been submitted by the learned advocate for the petitioner that the private respondents have been duly served.

Despite notice none appears for the private respondents.

The learned advocate for the petitioner submits that a civil suit is pending and the police authorities have not taken any steps pursuant to the complaint lodged by the petitioner.

The report of the Inspector-in-charge, Anandapur Police Station dated September 24, 2024 filed by the learned advocate for the State is taken on record.

Since the civil court passed an order of injunction restraining the private respondents from interfering with the peaceful possession of the petitioner and also to see that the private respondents may not change the nature and character of the A schedule property and it has been submitted that the said order of injunction is still in force, the writ petition is disposed of by directing the Officer-in-charge, Anandapur Police Station to implement the said order of injunction.

With the above observation and direction, the writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)