

Sl.81
04.10.2024
S. Gayen
ct.no.7

W.P.A. 23672 of 2024

**Manisha Karal
Versus
State of West Bengal and Ors.**

Mr. Sabyasachi Chatterjee
Mr. Akashdeep Mukherjee
...for the petitioner.

Mr. Biswabrata Basu Mallick
Mr. Biman Halder
...for the State Respondents.

Mr. Avijit Sarkar
Mr. Biman Halder
...for the Respondent Nos. 8 to 13.

Mr. Manoj Kurmi
...for the Respondent Nos. 14 to
16 & 18 to 19.

Mr. Chatterjee, learned advocate appearing for the petitioner, on instruction, submits that he is not pressing prayer 'a' of the writ petition and seeks leave to approach the proper forum in so far as the relief claimed in prayer 'a' in the writ petition is concerned.

In view of the aforesaid submission, the relief claimed in prayer 'a' in the writ petition stands rejected as not pressed with liberty to the petitioner to approach the proper forum in accordance with law

with regard to quashing of Shyampur Police Station Case No. 342 of 2024.

Mr. Chatterjee also submits that the private respondents are creating disturbance by demanding ransom and attempting to forcibly take possession of his client's brick field despite the order of injunction passed by the Civil Court. He further submits that the Civil Court has passed an order directing the police authorities to render necessary assistance to the petitioner for implementation of the order of injunction.

The learned advocate appearing for the private respondents submits that the respondent No. 10 is the owner of the brick field. He further submits that the private respondents filed the written objection to the injunction application and written statement has also been filed before the Civil Court.

Mr. Basu Mallick, the learned advocate appearing for the State submits that the police authorities have taken steps pursuant to the complaint lodged by the petitioner. He filed a report of the Officer-in-Charge, Shyampur Police Station, which is taken on record. After going through the said report, this Court finds that pursuant to the complaint lodged by the petitioner an FIR was

registered being Shyampur Police Station Case No. 335 of 2024.

Therefore, it appears that the police authorities have taken steps with regard to the complaint lodged by the petitioner, in so far as the same discloses a cognizable offence. However, in so far as the prayer of the petitioner with regard to the police help, this Court finds that the Civil Court by an order dated 19th August, 2024 allowed the petitioner's prayer for police help for implementation of the injunction order dated 14th August, 2024.

The Officer-in-Charge of the Shyampur Police Station is directed to implement the injunction order dated 14th August, 2024 and file a status report before the Civil Court on the next date fixed, since the Civil Court has directed to police authorities to implement the order dated 14th August, 2024. This Court directs the Officer-in-Charge, Shyampur Police Station to act in terms of the order passed by the Civil Court on 19th August, 2024 and to file a status report in Title Suit No. 442 of 2024 as directed by the order dated 19th August, 2024.

Mr. Chatterjee, learned advocate for the petitioner submits that the private respondents are violating the order of injunction. It will be open to the

petitioner to approach the Civil Court in accordance with law.

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

However, there will be no order as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Hiranmay Bhattacharyya, J.)