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04.11.2024  
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ct.no.35

**W.P.A.24003 of 2024**

**Asha Rai  
Versus  
The State of West Bengal & Ors.**

Mr. Satadru Lahiri  
Mr. Safdar Azam  
Mr. Syed Wasim Faruque  
Mr. Jyotirmoy Talukder.  
...for the petitioner.

Mr. K.J. Yusuf  
Mr. Parikshit Goswami.  
...for the State-respondents.

Mr. Tapas Kumar Sinha.  
...for the respondent nos.4 to 6.

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

Petitioner is aggrieved by the fact that  
allegedly when the petitioner's son was out of station,  
certain local hoodlum under the leadership of  
respondent nos.4 to 6 being armed had trespassed,  
broke open the padlock and the main entrance of the  
premises and had taken over the possession. To that  
effect, complaints were lodged before the police  
authorities, but the police authorities did not take  
any action.

Learned advocate for the State has submitted  
a report which reflects that pursuant to the complaint  
being made, Jorasanko Police Station Case No.181 of

2024 has been registered for investigation and the investigation is still in progress.

Learned advocate for the respondent nos.4 to 6 denies the accusations made by the petitioner and submits that the order of ad interim injunction was obtained in T.S. No.419 of 2020 by way of distortion and misrepresentation of facts.

Learned advocate for the petitioner, on the other hand, submits that the said order of ad interim injunction is till date continuing.

In view of the order of ad interim injunction continuing in connection with T.S.419 of 2020, the petitioner would be at liberty to approach the learned Judge, 12<sup>th</sup> Bench, City Civil Court, Kolkata for execution of its ad interim order of injunction in case there is violation and for seeking police assistance. Learned court would exercise its discretion before passing any order and after hearing both the parties pass the necessary directions upon the police authorities.

With the aforesaid observations, WPA 24003 of 2024 is disposed of.

Copy of the report be handed over to both the parties.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

***(Tirthankar Ghosh, J.)***