

ADSL.1.
October 8, 2024.
MNS.

WPA No. 24188 of 2024

Sri Sri Narayan Jew
Vs.
State of West Bengal and others

Mr. Gopal Chandra Ghosh,
Mr. Rajkrishna Mondal

... for the petitioner.

Mr. Dipanjan Datta,
Mrs. Reshma Chatterjee

...for the State.

The learned Advocate appearing for the petitioner submits that the private respondents herein are creating obstruction in the daily *Seva Puja* of the *deity* in spite of the fact that an order of injunction passed by the learned District Judge in Misc. Appeal No. 45 of 2024 is still in force.

Mr. Ghosh, learned Advocate appearing for the petitioner submits that the petitioner by a letter dated August 27, 2024, requested the Officer-in-Charge of Pandua Police Station to implement the order of injunction passed by the learned District Judge, but no steps have been taken by the police authorities to implement the order of injunction. Mr. Ghosh submits that the learned Executive Magistrate in a proceeding under Section 144 of the Code of Criminal Procedure, being MP Case No. 739 of 2024 also

directed the Officer-in-Charge of Pandua Police Station to implement the order passed by the learned District Judge. Mr. Ghosh submits that in spite of the orders passed by the learned District Judge and the Executive Magistrate, the police authorities have not taken any steps to implement the order of injunction.

Affidavit-of-service filed by the petitioner is taken on record. The learned Advocate appearing for the petitioner submits that the all the respondents have been duly served. Despite service, none appears for the respondents.

Mr. Datta, learned Advocate, who usually appears for the State is present in Court today and is requested to appear in this matter.

Let the appointment of Mr. Datta, learned Advocate, along with a junior of his choice be regularized by the learned Government Pleader.

The learned Advocate-on-record of the petitioner is directed to supply a copy of the writ petition to Mr. Datta in course of this day.

Mr. Ghosh submits that a copy of the writ petition has already been served upon Mr. Datta in course of hearing of this writ petition.

Record reveals that the learned District Judge in Misc. Appeal No. 45 of 2024 passed an order on June 3, 2024, thereby directing the defendants, that is, the private respondents

herein and their men and agents from interfering with the performance of the daily Seva Puja of the *deity* and not to create any third party interest in the property covered by the *Arpannama* till the next date, that is July 4, 2024. Mr. Ghosh, the learned Advocate appearing for the petitioner files a copy of the information slip, which is taken on record.

It appears from the said information slip that the order of injunction passed in the aforesaid misc. appeal is still in force and shall be operative till December 7, 2024.

The police authorities are duty bound to obey and implement the orders passed by the learned Civil Court.

In view thereof, the Officer-in-Charge of Pandua Police Station, being the 4th respondent, is directed to implement the order dated June 3, 2024 passed in Misc. Appeal No. 45 of 2024, which has been subsequently extended and shall remain in force till December 7, 2024.

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

The learned Advocate-on-record of the petitioner will be at liberty to communicate the gist of this order and the said respondent shall act on the basis of such communication.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)