

03.12.2024
Item No.27
Ct. No.35
dc.

W.P.A. 26184 of 2024

Charubala Das & Ors.
versus
The State of West Bengal & Ors.

Mr. Falguni Bandyopadhyay,
Ms. Riya Ballav ... For the Petitioners.

Mr. Ashim Kumar Ganguly, AGP,
Ms. Tuhina Parvin ... For the State.

Mr. Abhijit Pal ... For the Respondent Nos. 8 to 12.

Report submitted by the learned advocate
appearing for the State be kept with the record.

The said report reflects that on conclusion of
investigation in connection with Hasnabad Police
Station Case No. 16/2024 dated 06.01.2024
charge-sheet was submitted under Sections
341/323/325/307/354B/379/34 of the Indian
Penal Code. The police authorities as such have
taken steps so far as the accusations are
concerned.

Learned advocate appearing for the
petitioners submits that in spite of civil court's
order dated 07.06.2024 in Title Suit No. 479 of
2023 is pending wherein the learned Civil Judge
(Sr. Divn.), Basirhat was pleased to direct the
Officer-in-Charge, Hasnabad Police Station to
implement the injunction order, the same has not
been complied with.

In view of such contentions, I direct that if
violation of the said order has been committed,

appropriate application be filed before the jurisdictional civil court already in seisin of the matter. However, the police authorities are directed to respect and obey the order passed by the civil court.

If the civil court finds that its order is violated, then in that case relevant provisions of BNS against the public servant be invoked by the civil court is concerned for implementing its order.

It is further directed that in view of the inimical relationship between the parties, the police authorities would also keep a strict vigil so that no breach of peace takes place or any untoward incident results because of the relationship existing between the parties.

With the aforesaid observations, the writ petition being WPA 26184 of 2024 is disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)