

Sl.No.

41

11.11.2024

Court

No. 35

G.S.Das

WPA 26177 of 2024

M/s. Vishnu Enterprise Ltd. &Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Kushal Chatterjee

Mr. Oishik Chatterjee

... for the Petitioner

Mr. Susovan Sengupta, Sr. Govt. Adv.

Mr. Tarak Karan

.... For the State-respondent(s)

Mr. Gopal Ch. Ghosh

Mr. Rajkrishna Mondal

... for the private respondent

The petitioner is aggrieved by the fact that a temporary injunction order was passed in his favour in respect of restraining the defendant from dispossessing and/or disturbing his peaceful possession in T.S. 269 of 2020.

The petitioner, thereafter, preferred an application under Section 151 of the CPC and the learned Civil Judge (Junior Division), Bidhannagar was pleased to

pass direction upon the Baranagar P.S. to keep sharp vigilance so that the injunction order is not violated and render necessary police aid to the petitioner as and when such assistance is required by him.

The petitioner, thereafter, draws the attention of this court in respect of certain violations at the behest of the defendants and, to that effect, he has taken out an application before the learned Civil Judge (Jr. Divn.), Bidhannagar, which is still pending for consideration.

Learned advocate for the State has submitted a report prepared by the Inspector-in-charge of Baranagar Police Station, wherein, it has been contended that the police has tried their level best for keeping peace and tranquility at the area.

To that effect, Baranagar P.S.

GDE No. 247 dt. 05.11.2024 and
Baranagar P.S. GDE No. 400 dt.
07.11.2024 have been registered.

Learned advocate for the private
respondents is present and submits that
he is unaware regarding the pendency of
the civil suit and the order(s) passed by
the learned Civil Judge (Jr. Divn.),
Bidhannagar in T.S. No. 269 of 2020.

Even if, the respondent was not
aware and, as a copy of the writ petition
has been served, the respondent is
presently aware. As such, he would also
be at liberty to take appropriate steps.

So far as the pendency of the
application under Section 151 of the CPC
before the Id. Civil Judge is concerned,
let the same be considered by the said
court in accordance with law.

This court, at this stage, since the

civil court is *in seisin* of the matter, do not deem it fit and proper to pass any adverse remarks in respect of the accusation made against the respondents.

However, the police authorities would ensure that no untoward incident takes place in view of the petitioner and the respondent being embroiled in such a dispute.

With the aforesaid observations, WPA 26177 of 2024 is disposed of.

Report so submitted be kept with the record.

Affidavit of service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

