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Court

No. 35

G.S.Das

The petitioner is aggrieved by the fact that in spite of the order passed by the learned Civil Judge (Sr. Divn.), 6th Court, Alipore in Title Suit No. 1359 of 2023, wherein, the learned Court was pleased to restrain the defendant/private respondent from parting with the possession by way of sub letting, creating any third party interest, making any addition and/or alteration in respect of the suit property - the said order is being

violated by the private respondents and, they are proceeding with the construction of the property.

The records of the case reflect that the petitioner has also preferred an application under Order 39 Rule 2A of the CPC as also an application under Section 151 of the CPC.

In case, the learned Civil Court is of the opinion that police assistance and/or police protection is required for implementation of the order dated 12.10.2023, the police authorities would respect and obey such order thereby implementing the directions of the learned Civil Judge (Sr. Divn.), 6th Court, Alipore.

Mr. Banerjee, learned Senior Standing Counsel, appearing on behalf of the State, submits a report.

Having considered the report of

the police authorities, I am of the opinion that the petitioner and the private respondents, presently, are at loggerheads.

Accordingly, strict vigil be maintained and, there should not be any breach of the peace and tranquility as also any untoward incident in respect of the disputes and differences amongst the parties.

With the aforesaid observations, WPA 27851 of 2024 is disposed of.

Since affidavits have not been invited, the allegations made in the writ petition are deemed not to have been admitted.

Report so submitted be kept with the record. Let a copy of the report be handed over to the learned advocate for the petitioner.

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.)