

Court No. 14
10.06.2024
(A 67)
(S. Banerjee)

WPA 27443 of 2023
Suryakanta Ghorai
Vs.
State of West Bengal & Ors.

Mr. Akash Dutta
Mr. Uday Prakash Shyamal
... for the petitioner
Mr. Suman Sengupta
Mr. Sanatan Panja
... for the State

The petitioner refers to an order dated 20th November, 2021 passed by the learned Civil Judge (Junior Division), 1st Court, Sadar, Paschim Medinipur in TS No. 429 of 2021 wherein the Court was pleased to direct the Officer in Charge, Sabang Police Station to give necessary police assistance to the plaintiff to implement the ad interim order of injunction of the Court dated 26th August, 2021 and to send a report accordingly.

Vide order dated 26th August, 2021, the defendants were restrained from making any encroachment in the suit property as described in Schedule A to the plaint.

Learned advocate for the petitioner submits that despite communication of the aforesaid order to the

Officer in Charge, Sabang Police Station, no police assistance has been provided to the petitioner.

None represents the private respondents.

Affidavit of service is taken on record.

A report has been forwarded by the Officer in Charge Sabang Police Station, signed on 19th December, 2023 wherefrom it appears that the police instructed both the parties to abide by the order passed by the learned Court and to maintain peace and tranquility in the area.

The report mentions that the situation in the locality is kept under watch. Prosecution has been submitted vide Sabang Police Station NCR No. 674/2023 dated 22nd November, 2023 against the respondent no. 5 under Section 107 Cr.P.C. to maintain peace and tranquility. No further complaint has been received from the petitioner.

It appears from the submission made on behalf of the parties and upon perusal of the materials on record that the learned civil Court is in seisin of the matter. It will be open for the petitioner to approach the learned Court below in the event he is aggrieved by any act on the part of the respondents.

The writ petition is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)