

December 12, 2024  
Sl. No. 23  
Court No.35  
s.biswas

WPA 29232 of 2024

*Sk. Sallam @ Sk. Abdul Sallam*  
*vs.*  
*The State of West Bengal and others*

Mr. Ramji Munsii  
... for the petitioner  
Mr. Swapan Banerjee, AGP  
Mr. Soumen Chatterjee  
... for the State

Affidavit of service so filed, be kept with the record.

Petitioner complains that in spite of the Civil Courts having passed orders repeatedly on the police authorities in connection with Title Suit No.108 of 2023 directing that the Officer-in-Charge, Balagarh Police Station would ensure that defendants are restrained from changing the nature and character of the suit property, it has been alleged that the private respondent no.8 is raising construction, thereby violating the order of the civil court.

In spite of informing the police authority regarding the orders so passed, no effective steps have been taken to restrain the respondents.

The report which has been submitted on behalf of the State prepared by the Officer-in-Charge, Balagarh Police Station, do not address relating to the issue of the illegal construction which has been raised in an agricultural land.

In view of the report so prepared not addressing the issues particularly when a civil court has already

passed order directing the Officer-in-Charge, Balagarh Police Station, I direct the Deputy Superintendent of Police/SDPO/Additional Superintendent of Police/Officer-in-Charge of Balagarh Police Station would personally visit the area complained of and wherein the civil court has been pleased to pass a direction and thereafter take appropriate steps, thereby respecting and obeying the order of the civil court, in case any delinquency is found from the end of Balagarh Police Station, the superior officer concerned will take appropriate steps, in accordance with law.

With the aforesaid observation, WPA 29232 of 2024 is disposed of.

The report submitted be kept with the record. Copy of the report be handed over to the learned advocate for the petitioner.

All the parties shall act on the basis of the server copy of the order.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

**(Tirthankar Ghosh, J.)**