

D/L 12  
04.03.2025  
Kausik  
ct.no.35

**W.P.A. 217 of 2024**

**Ashim Das  
Versus  
State of West Bengal & Ors.**

Mr. Chittapriya Ghosh  
Mr. Asit Barun Ghosh  
Mr. Somesh Kumar Ghosh  
Ms. Priyanka Saha

...for the petitioner.

Ms. Sulagna Bhattacharya  
Mr. Sasthi Charan Dhara

...for the state.

Petitioner is aggrieved by the fact that in spite of the directions passed on 06.10.2023 by the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Burdwan in connection with TS Case No. 538 of 2023 and the police authorities being subsequently directed to comply with the order dated 06.10.2023 by the same court, the police authorities have flouted the orders so passed.

I find that in the order dated 06.10.2023 learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Burdwan was pleased to restrain the defendant from dispossessing or disturbing the peaceful possession of the plaintiff, subsequently the said order was directed to be implemented by the Inspector-in-charge, Burdwan Police Station.

State has submitted a report. Report reflects that the police authorities have taken all steps for maintaining peace and tranquility and did abide by the order of the learned Civil Judge (Junior Division), 2<sup>nd</sup> Court, Burdwan.

Learned advocate for the petitioner submits that the petitioner is in possession. However, his possession is being interfered with and disturbance is being created at the behest of the private respondents/defendants.

Having considered the fact that there is a grievance of the petitioner so far as interference is concerned, petitioner would be at liberty to take out an appropriate application as to the nature of police help required for implementing the order dated 06.10.2023 so far as disturbance is concerned.

Police authorities are keeping a strict vigil as is reflected from the report. They would continue such surveillance and ensure no breach of the peace and tranquility takes place.

Police authorities are also directed to ensure that the order passed by the learned Civil Judge is respected, obeyed and implemented in its true and proper perspective, purport and spirit.

With the aforesaid observations WPA 217 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

***(Tirthankar Ghosh, J.)***