

D/L 15
04.03.2025
Kausik
ct.no.35

W.P.A. 813 of 2024

**Bijoy Saha & Ors.
Versus
State of West Bengal & Ors.**

Mr. Dipta Dipak Banerjee
Mr. Joydeep Das

...for the petitioners.

Mr. Wasim Ahmed
Mr. Sk. Md. Masud

...for the state.

Affidavit of service filed by the petitioner be kept with the record.

Supplementary affidavit filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that in spite of an order of injunction passed in respect of the nature, character and possession of the suit property by the learned Civil Judge (Senior Division), 8th Court, Alipore, in connection with Title Suit No. 754 of 2023 the defendants/private respondents have been violating the same, subsequently the same was brought to the notice of the learned Civil Judge (Senior Division), 8th Court, Alipore who was pleased to direct the Officer-in-charge, Tollygunge Police Station to ensure the implementation of the order dated 14.06.2023.

Petitioner complains that in spite of the order passed by the learned Civil Judge and directions being also passed upon the police authorities, the private respondent has been pursuing his illegal objective by violating and/or flouting the order passed by the learned Civil Judge (Senior Division), 8th Court, Alipore.

Petitioner has expressed his frustration that in spite of informing the police authorities no action has been taken. Presently, according to the petitioner, applications are pending before the learned Civil Judge in connection with Title Suit No. 754 of 2023.

Having considered that the civil court is already in seisin of the issues and the petitioner has alleged that there has been violation of the directions passed by the civil court, I direct that the Officer-in-charge, Tollygunge Police Station will respect, obey and implement the orders passed by the learned Civil Judge (Senior Division), 8th Court, Alipore in Title Suit No. 754 of 2023.

Learned Civil Judge is also directed to ensure that the police authorities give flesh and blood to the orders passed by the said court and to exhaust the provisions if there is a tendency for deviating from the orders passed by the court.

So far as rest of the applications are concerned which are pending before the civil court, the civil court according to its priority will consider the same in accordance with law.

With the aforesaid observations WPA 813 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)