

D/L 133
18.03.2025
Kausik
ct.no.35

W.P.A. 1457 of 2024

**Chandan Kumar Pal & Ors.
Versus
State of West Bengal & Ors.**

Mr. Joyak Kr. Gupta
Mr. Sutanu Chakrabarti

...for the petitioners.

Mr. Shibasis Chatterjee

...for the respondent nos. 4 & 5.

Mr. Tarak Karan

...for the state.

Learned advocate for the petitioner is aggrieved by the inaction of the police authorities as the private respondents are trying to encroach upon their property by use of force. Further grievance is that in spite of ad interim injunction order existing, the private respondents have violated the same and there has been no assistance from the police authorities.

Learned advocate for the private respondents submits that the issue of dispute is in respect of sharing of ancestral property. To that effect, civil court is already in seisin of the issue.

Learned advocate for the State submits a report reflecting that steps have been taken by the

police authorities on receipt of information under section 107/116 of the Cr.P.C.

I have considered the submissions of the respective advocates and I am of the view if the petitioner is of the opinion that the ad interim injunction order has been violated, petitioner will approach the learned civil court in seisin of the matter for necessary directions upon the police authorities. If the learned civil court passes directions for rendering police assistance, in such circumstances police authorities would respect, obey and implement the order of the civil court. In the meantime, police authorities would ensure that there is no breach of the peace and/or tranquility and/or any further untoward incident at the behest of any of the parties.

With the aforesaid observations WPA 1457 of 2024 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)