

D/L 11
12.02.2025
Kausik
ct.no.35

W.P.A. 2330 of 2024

**Sk. Ramij Raja
Versus
State of West Bengal & Ors.**

Mr. Anindya Bose
Ms. Cardina roy
Mr. Mridul Biswas

...for the petitioner.

Mr. Sardar Amjad Ali, Sr. Adv.
Mr. Puranjan Pal

...for the respondent nos. 6, 7 & 8.

Mr. Pantu Deb Roy, AGP
Mr. Subrata Guha Biswas

...for the state.

Petitioner complains that the respondents have been forcefully trying to occupy the petitioner's property and the same was in spite of the civil court having passed directions in Misc. Appeal No. 199 of 2022.

The grievance of the petitioner is that in spite of informing the police authorities neither did they obey the civil court's order nor any action was taken against the respondents.

State has submitted a report. Report reflects that there was an information furnished which was reduced as a G.D. Entry by the police station. Police authorities have also taken steps under section

107/116 of Cr.P.C. for restraining any breach of peace or tranquility.

So far as the petitioner's grievances are concerned regarding inaction of the police authorities, the same is related to implementing the judgment passed by the civil court.

The petitioner under normal circumstances is to apply before the civil court concerned for executing its order. It is for the civil court to pass necessary directions upon the police authorities for rendering assistance.

This court while exercising its jurisdiction under Article 226 of the Constitution of India will not enter into the domain or arena of the civil court passing orders.

However, police authorities would keep a surveillance and ensure that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 2330 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.)