

D/L 5
07.03.2025
Kausik
ct.no.35

W.P.A. 3771 of 2025

**Tultul Dutta
Versus
The State of West Bengal & Ors.**

Mr. Kushal Chatterjee
Mr. Tapan Kr. Mahapatra

...for the petitioner.

Mr. Sabyasachi Chatterjee
Mr. Imtiaz Akhtar

...for the proforma respondent nos. 6 & 7.

Mr. Sanjib Seth

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

Mr. Jayanta Samanta, Jr. Govt. Adv.
Mr. Subhendu Sengupta

...for the state.

Petitioner complains that in spite of the learned Civil Judge, Junior Division, 6th Court, Howrah passing an ad interim injunction to the effect that the defendants are restrained from obstructing the plaintiff from entering the business as mentioned in the scheduled suit referred to in Title Suit No. 1892 of 2023 there has been violation of the said order. To that effect, petitioner approached the learned Civil Court under section 151 of the Civil Procedure Code and specific direction was passed upon Inspector-in-charge of

Dasnagar Police Station for the purposes of ensuring the applicability of the ad interim order.

Learned advocate for the private respondent nos. 4 & 5 submits that so far as the present stage is concerned, the petitioner and her husband are regularly attending the shop/office and there has been no obstruction. On the other hand, Mr. Chatterjee, learned advocate for the respondent nos. 6 & 7 submits that because of the dispute and difference between the petitioner and the respondent nos. 4 & 5, respondent nos. 6 & 7 are suffering and sustaining business loss.

I have considered the contentions advanced by the learned advocates as well as the report submitted by the State. Since the civil case is pending and there are directions passed by the learned Civil Judge, Junior Division, 6th Court, Howrah, police authorities would respect, obey and implement the order passed by the civil court. In the meantime, if the police authorities find that there has been any violation of the civil court's order, police authorities would submit a report before the court concerned for necessary directions as to the party who has flouted the order of the court.

Police authorities would also ensure that there is no breach of the peace and/or tranquility with regard to the issues of egress and ingress or

any untoward incident arising because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 3771 of 2025 is disposed of.

Report so submitted be kept with the record.

Copy of the report be circulated amongst all the parties.

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

(Tirthankar Ghosh, J.)