

M/L 58
03.03.2025
Kausik
ct.no.35

W.P.A. 4072 of 2025

**Rajnish Kumar Dubey
Versus
The State of West Bengal & Ors.**

Mr. Manas Das

...for the petitioner.

Mr. Apalak Basu
Mr. Smitesh Chatterjee
Ms. Sanghamitra Mridha

...for the Opposite Party No. 5.

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar

...for the state.

Petitioner complains that he is being attempted to be dispossessed from the property at the behest of the private respondents. To that effect, petitioner made a representation to the Officer-in-charge, Survey Park Police Station. However, in spite of receipt of information no action has been taken by the concerned police station.

State has submitted a report.

Learned advocate for the private respondent no. 5 is present.

There are documents enclosed in the writ petition. It reflects that Misc Case No. 2015 of 2024 is pending before the Learned 6th Judge, City Civil

Court, Calcutta. There has been an ad interim order of injunction.

Petitioner has complained of violation of the said interim order of injunction and preferred an application under section 151 of the Code of Civil Procedure which is still pending before the said court.

In view of the nature of the dispute which is civil in nature and the police authorities presently have stayed their hands away because of the pendency of the dispute before the civil court, I am of the view that the police authorities are not at fault for the present. However, in case any direction is passed under section 151 of CPC, police authorities would respect, obey and implement such order of the civil court.

With the aforesaid observations WPA 4072 of 2025 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.)