

10.03.2025

Court No. 35

Item No.13
Rakib

W.P.A. 4298 of 2025

Kamal Banerjee & Ors.

VS

The State of West Bengal & Ors.

Mr. Siddhartha Sarkar.

... for the Petitioners.

Mr. Ranjan Saha,

Mr. Masrur Ahamed.

...for the respondent nos.4 & 8.

Ms. Jhuma Chakraborty,

Ms. Munmun Tewari.

... for the State.

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

Learned advocate appearing for the petitioners submit that inspite of informing the Officer-in-Charge, Kotulpur, Police Station in respect of the order dated 10.11.2022 passed by the learned Civil Judge (Jr. Division), Bishnupur, directing the Officer-in-Charge to maintain in letter and spirit the ad interim injunction order dated 15.07.2022 which was made absolute on 16.08.2022, the concerned police officer is not adhering to the same.

Learned advocate for the private respondents submit that the suit property referred in T.S. no. 114/2022 has no relation with the property belonging to the private respondents and unnecessarily by way of the Civil Court's order the petitioners are trying to establish their dominance.

State has submitted a report which reflects that regarding encroachment of the property, there has been

no complaint received from the petitioners. The petitioners have drawn the attention of the Court to an information which was by way of mail on 09.02.2025 which is in respect of a public toilet, garbage and dustbin flammable substances kept in his property.

The private respondents have no onus on the issues as the Panchayat Authorities are responsible for the same. If required, petitioners would be at liberty to bring the same to the notice of the Civil Court which is already in siesin of the matter. The Civil Court will pass necessary directions in accordance with law.

With the aforesaid observations WPA 4298 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)