

17.03.2025
Item No.37
Ct. No.35
dc.

W.P.A. 5066 of 2025

**Akbar Ghorami @ Akbar Ali Gharami
versus
The State of West Bengal & Ors.**

Mr. Bapin Baidya ... For the Petitioner.

Mrs. Jhuma Chakraborty,
Ms. Munmun Tewary ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner complains that a title suit being T.S. No. 20 of 2025 was preferred before the learned Civil Judge (Jr. Division), 3rd Court, Baruipur wherein the learned Civil Judge refused to pass any ad interim injunction. Being aggrieved by the same, Misc. Appeal No. 8 of 2025 was preferred before the learned Civil Judge (Sr. Division), 2nd Court, Baruipur wherein the learned Appellate Court after hearing was pleased to pass an order of ad interim injunction directing the appellant and the respondent to maintain status quo in respect of nature and character of the suit property. The petitioner complains that in spite of such order being passed, the private respondents have been pursuing their illegal activities particularly, with regard to the construction being made at the

subject-matter of the suit property which is before the learned civil court.

State has submitted a report which reflects that police authorities were informed on or about 19.02.2025 regarding the order passed by the Appellate Court and subsequent to which Maipith Coastal PS Case No. 16/2025 dated 05.03.2025 was registered for investigation. The said report also reflects that police authorities have drawn up proceedings under Section 126 of BNSS.

The police authorities are directed to see that there is no violation of the civil court's order as complained of by the petitioner. The police authorities would continue to keep their surveillance and ensure that no breach of the peace and/or tranquility takes place at the locale.

With the aforesaid observations, the writ petition being WPA 5066 of 2025 is disposed of.

There will be no order as to costs.

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.)