

D/L 45
17.03.2025
Bpg.
ct.no.35

W.P.A.5115 of 2025

**Haripada Bera & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Aritra Shankar Ray.
...for the petitioners.

Mr. Asish Kumar Guha
Mr. Benazir Ahmed.
...for the State-respondents.

Mr. Chandrachur Lahiri.
...for the private
respondent Nos.5 to 13, 15 & 25.

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

Petitioners complain that pursuant to the
directions passed by the civil court i.e. learned Civil
Judge(Senior Division), 1st Court, Paschim Medinipur
as also in Title Suit No.167 of 2011 the construction
was stalled by the interference of the police
authorities as there were directions by the civil court
upon the police authorities to take steps.
Subsequently, it has been complained on or about
February 19, 2025 that the private respondents have
started construction in violation of the civil court's
order and the police authorities are reluctant to take
any steps for which the private respondents are
violating the civil court's order.

Learned advocate for the private respondents submits that since the civil court is already in seisin of the matter, in the fitness of circumstances, petitioners should approach the civil court.

Learned advocate for the State has submitted a report. Report reflects that Belda P.S. Case No.99 of 2025 dated 04.03.2025 has been registered for investigation and prayer has been advanced for adding Kalipada Das and Kanai Das as accused persons.

The police authorities are well aware regarding the violations having taken place. The police authorities are directed to ensure that the civil court's order is respected and obeyed. The police authorities would also oversee that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the inimical relationship existing between the parties.

With the aforesaid observations, WPA 5115 of 2025 is disposed of.

There will be no order as to costs.

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.

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

(Tirthankar Ghosh, J.)