

D/L 10
02.04.2025
Kausik
ct.no.35

W.P.A. 6016 of 2025

**Krishnendu Khan
Versus
State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Sayan Banerjee
Mr. Badrul Karim
Mr. Kiran Sk
Ms. Monalisha Sinha

...for the petitioner.

Mr. Rameshwar Sinha
Mr. Fasiur Rahman Molla
Ms. Sahana Akhtar
Mr. Krishnendu Modak

...for the respondent no.s. 10 & 11.

Mr. Suman Ghosh
Mr. Siddharta Ghosh

...for the state.

Petitioner is aggrieved by the fact that in spite of the direction passed by the learned Civil Judge (Junior Division), 2nd Court, Uluberia in TS No. 11/2025, the private respondents are adamant in changing the nature and character of the property and has been raising construction in spite of the injunction order passed by the civil court.

Learned advocate for the private respondents submits that no construction work is in progress.

State submits that pursuant to the order dated 24.01.2025 received by the Officer-in-charge, Bagnan Police Station in respect of the injunction order, the same has been circulated to all the parties.

Learned advocate for the petitioner submits that the construction work is still in progress.

In view of the police report reflecting that no construction work is going on and the petitioner before this court asserting that construction is in progress, I direct the learned Civil Judge (Junior Division), 2nd Court, Uluberia to appoint an advocate commissioner who would conduct an inspection in respect of the accusations made that the construction is in progress and submit a report before the learned civil court.

The learned Civil Judge would within the ambit of the Civil Procedure Code pass necessary directions upon the police authorities if the earlier order of injunction has been violated and/or flouted by any of the private respondents.

Since the police authorities are in knowhow of the directions passed by the learned Civil Judge (Junior Division), 2nd Court, Uluberia in TS No. 11/2025 they would ensure that the same is not violated in any manner by any of the private respondents.

Police authorities would keep a strict vigil and ensure that there is no untoward incident resulting because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 6016 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocates appearing for both 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.)