

17.04.2025
Court No. 35
Item No.7
Rakib

W.P.A. 6690 of 2025

**Kartik Kumar Bandhapadhyay &
Ors.
VS
The State of West Bengal & Ors.**

Mr. Ramij Munshi.
... for the Petitioners.
Mr. Palash Bapari,
Mr. Chandan Chakraborty.
...for respondent no.6.
Ms. Sipra Majumdar,
Ms. Somashree Dey.
...for the State.

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

Petitioners are aggrieved by the fact that inspite of
directions being passed by the learned Civil Judge (Junior
Division), 2nd Court, Hooghly upon the Officer-in-Charge,
Pandua Police Station to take necessary steps in terms of
the order dated 22.05.2024, the said Officer is not
complying with the order. Attention of the Court was
drawn to the order dated 22.05.2024 wherein it was
directed by the learned Civil Judge that the defendant
was restrained from creating any encumbrances over the
'B' Schedule property and from alienating the suit
property to any third party in any manner till 20.06.2024.
According to the petitioners the interim order is still
continuing.

Learned advocate appearing for the private
respondents disputes the accusations made in the writ
petition.

The Officer-in-Charge, Pandua Police Station, if he finds that there are any inconveniences faced by him, he would report to the learned Civil Judge (Junior Division), 2nd Court, Hooghly. In the alternative it is the duty of the Officer-in-Charge to comply with the order so passed by the learned Civil Judge (Junior Division), 2nd Court, Hooghly.

Proceedings have already been drawn up under Section 126/135 of the BNSS. The police authorities would continue their surveillance and ensure that no breach of the peace and/or tranquility takes place.

It is further directed that the learned Civil Judge (Junior Division), 2nd Court, Hooghly would assess whether his order has been violated and accordingly pass necessary direction under the Civil Procedure Code against the public servant concerned for violation of the order.

The SDPO/Additional S.P., In-charge of Pandua Police Station would oversee that the order of the Civil Court is not violated.

With the aforesaid observations WPA 6690 of 2025 is disposed of.

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

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)