

D/L 21
28.04.2025
Bpg.
ct.no.35

W.P.A.7771 of 2025

**Sri Tarak Das
Versus
The State of West Bengal & Ors.**

Mr. Amit Singh.
...for the petitioner.

Mr. Ashim Kr. Ganguly
Mr. Bellal Shaikh.
...for the State-respondents.

Petitioner has approached this Court being aggrieved by the inaction of the police authorities. It has been canvassed that the petitioner was thrown out of his tenanted premises in spite of learned Civil Judge (Junior Division), 2nd Court, Barrackpore being in seisin of Title Suit No.789 of 2024 and an injunction order was passed.

State has submitted a report. According to the State, the respondent nos.5 and 6 denied of such incident and the police authorities on inspection found that the premises to be under a padlock.

Be that as it may, the civil court is already in seisin of the issue, petitioner would be at liberty to take out an appropriate application before the learned Civil Judge for rendering police assistance, the same be disposed of by the learned Civil Judge within a period of 30 days of filing of the same. The learned

Civil Judge will assess as to the issue of the petitioner being dispossessed in spite of having documents and an order passed by the civil court being in existence. In case the learned Civil Judge is satisfied, it will direct the police authorities to take steps for restoration on an ad hoc basis subject to the outcome of the civil suit.

With the aforesaid observations, WPA 7771 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

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.)