

13.02.2025
Court No. 35
Item No.8
Rakib

W.P.A. 8961 of 2024
Lakshindar Halder.
VS
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,
Mr. Vishal Mallick.
... for the Petitioner.
Mr. Sandip Das.
... for Respondent no.4.
Mr. Rajarshi Basu,
Mr. S.T. Mina.
... for the State.

By an order dated 27.11.2024 State was directed to submit a progress report, particularly with regard to the investigation in respect of Kulpi PS Case no.29/2024.

The writ petition was filed with prayers in view of the learned Civil Court's orders dated 08.12.2023 and 18.12.2023 being not implemented by the police authorities. There was a further prayer for investigating the FIR which was registered against the private respondents in respect of Kulpi PS Case no. 29/2024 dated 05.02.2024.

Report submitted by the State reflects that in connection with the said case police authorities have submitted charge-sheet number 44/2024 before the jurisdictional Court.

Learned advocate for the respondent no.4 submits that as the dispute complained of is civil in

nature, there is no scope for interference by this Court.

Be that as it may since the police authorities have already submitted charge-sheet before the jurisdictional Court, petitioner would be at liberty to approach the jurisdictional Court with prayers under Section 173(8) of the Code of Criminal Procedure.

So far as the order passed by the Civil Court or its respective Appellate Court is concerned, police would respect and obey such orders until and unless modified by any higher Court.

With the aforesaid observations WPA 8961 of 2024 is disposed of.

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

Copy of the report be handed over to the respective parties.

Needless to state that since no affidavit has been used by the respondents the accusations made in the writ petition are deemed not to have been admitted.

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.)