

19.08.2025
Court No. 35
M/L. No.127
Rakib

W.P.A. 9390 of 2024

Jaman Hassan Mondal
VS
The State of West Bengal & Ors.

Mr. Suman Nandi
...for the Petitioner
Mr. Ansar Mondal
Mr. Ashis Dutta
Mr. Tanweer J. Mondal
...for the State.
Mr. Siddhartha Sarkar
...for respondent no.6.

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

Petitioner has approached this Court being aggrieved that the order passed by the learned Civil Judge (Senior Division), Basirhat in T.S, 289/18 was not adhered to in spite of the direction passed on 04.04.2019 wherein the learned Court was pleased to direct the Officer-in-Charge of Baduria Police Station to implement the ad interim order of injunction dated 11.10.2018. Petitioner informed the local police authorities regarding the violations, however, the police authorities being the Officer-in-Charge of Basirhat Police Station did not take any steps in respect of the violations of the Civil Court order.

Learned advocate for the respondent no.6 is present and denies and disputes the contentions advanced in the writ petition and further submits that he has not been made a party in T.S. 289/18.

Learned advocate for the State is present and submit a report.

Having regard to the fact that for breach of any Civil Court's order the Civil Procedure Code provides remedies, I am of the opinion that the petitioner would approach the jurisdictional Civil Court in seisin of T.S. 289/18 with specific prayers as also the violations so committed. Learned jurisdictional Court will consider the prayers of the petitioner in accordance with law.

So far as the issue relating to law and order is concerned, police authorities would only keep a vigil on the same and ensure that the same is not blown out of proportion.

With the aforesaid observations WPA 9390 of 2024 is disposed of.

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

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.)