

D/L 37
24.02.2025
Kausik
ct.no.35

W.P.A. 10528 of 2024

**Kishan Chand Jain
Versus
State of West Bengal & Ors.**

Mr. Rabindranath Mahato
Mr. Aritra Shankar Ray

...for the petitioner.

Mr. Jayanta Narayan Chatterjee
Mr. Supreem Naskar
Ms. Pritha Sinha

...for the respondent no. 4.

Ms. Munmun Ganguly
Mr. Subhadeep Maitra

...for the state.

Petitioner is aggrieved by the fact that in spite of informing the police authorities and in spite of a decree passed by the civil court, no steps have been taken.

Learned advocate for the respondent no. 4 on the other hand submits that the petitioner is throwing garbage at his property and unnecessarily creating nuisance to the disliking of the petitioner.

State has submitted a report. Report reflects that a long standing civil suit is pending between the parties. Accordingly, police authorities have restricted themselves by registering general diary entries.

In view of the petitioner claiming that he has been favoured with a decree from the civil court and the respondent submits that an appeal has been pending, police would act strictly in accordance with the directions passed by the civil court in accordance with law. In case any directions are passed by the civil court, police authorities would respect, obey and implement the order until and unless varied, modified or set aside by the higher forum of the said appellate court.

In view of the strained relationship existing between the parties, police authorities would ensure that there is no breach of peace and/or tranquility.

Accordingly WPA 10528 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to 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.)