

19.05.2025
Court No. 35
Item No.156
Rakib

W.P.A. 10370 of 2025

Smt. Debi Sardar.
VS
The State of West Bengal & Ors.

Mr. Anindya Chakraborty,
Mr. Sanjay Patra.
...for the petitioner.
Mr. Rajdeep Bhattacharjee,
Mr. Sanjib Sankar Majumdar.
...for the respondent no.8.
Mr. Swapan Banerjee, Ld. AGP,
Mr. Diptendu Narayan Banerjee.
...for the State.

Petitioner has prayed for restoration of electricity and water connection and to that effect has made a representation to Purba Jadavpur Police Station. Petitioner emphasized on the order passed by the learned Executive Magistrate, the said order passed on 26.04.2024. The orders of the Executive Magistrate under Section 144(2) of Cr.P.C. exist for a period of 60 days.

An Ejectment Suit is already pending as is reflected from the report by Mr. Banerjee, learned advocate appearing for the State before the learned 3rd Additional Civil Judge (Junior Division), Alipore.

The nature of the dispute which has been complained of do not empower the police authorities to interfere with, until and unless directed by a Court of law. Since the Civil Court is already in seisin of the issue, petitioner would take out an appropriate application for necessary direction upon the police authorities. If any direction is passed by the learned Civil Court upon the

concerned police authorities, police authorities would respect, obey, and implement the order. Since an alternative and efficacious remedy is available to the petitioner, petitioner would avail the same.

With the aforesaid observations WPA 10370 of 2025 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.)