

Sl.No. 115 11.03.2025
Court No. 35
G.S.Das

WPA 11490 of 2024

Buddhadeb Dhara
-Vs-
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Debabrata Mondal
... for the Petitioner(s)
Mr. Amal Kr. Sen, Id. AGP
Mr. Lal Mohan Basu
... for the State-respondent(s)

Affidavit of service so filed be
kept with the record.

The petitioner is aggrieved by the
fact that in spite of the learned Civil
Judge (Jr.Divn.), Haldia passing an ad
interim order of injunction for maintaining
status quo with regard to nature and
character of the 'ka' schedule property
referred to in the plaint, there has been
obstruction in free egress and ingress of
the petitioner at the behest of the private
respondents.

State has submitted a report. Let
the same be kept with the record.

However, on perusal of the enclosure to the writ petition, it reflects that a representation was submitted before the police authorities on 24th January, 2024 and more than thirteen months have passed since such representation was filed with the Officer-in-charge of Bhabanipur Police Station, Haldia, Purba Medinipur.

The enclosures to the writ petition also reflect that the learned Civil Court was also pleased to appoint a Commissioner and such order was passed on 3rd March, 2022.

Since the Commissioner's report presumably by this time should have reached the learned Civil Judge (Jr. Divn.) *in seisin* of T.S. 38 of 2022, I am of the view that if there are any direction passed by the learned civil court which has been violated by the respondents, the police authorities would either inform the learned civil court concerned regarding the adamant attitude of the private respondents

or, in the alternative, would implement the order passed by the learned civil court so far as it relates to free egress and ingress of the petitioner.

With the aforesaid observations, WPA 11490 of 2024 is disposed of.

Pending application, if any, is also disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocate for the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

