

March 18, 2025
AD 149
Ct. 17
SG

CPAN 758 of 2024
in
WPA 6 of 2023

Hare Krishna Mandal
vs.
Ujjwal Kumar Naskar, Officer in Charge, Ramnagar
Police Station

Mr. Apurba Krishna Das
Mr. Kallol Kumar Maity.

... for the applicant.

Learned counsel for the applicant submits that by an order dated 05.07.2023 passed by this Court in WPA 6 of 2023, it was recorded that there was trite law that no one could disturb the possession of the petitioner, otherwise than as per due process of law. So far as the allegations made before the police are concerned, steps had already taken and a charge-sheet had been submitted. Therefore, there was no need to pass any further order. However, the police was directed to keep a vigil at the locale and see to it that no untoward incident took place. In spite of these, when the petitioner went to construct his own house at the land, the miscreants again came and disturbed and the police took no steps. A complaint was made before the concerned police authorities.

It appears that on 05.07.2023 no further order was passed as the police had taken steps in respect of the allegations and submitted a charge-sheet. They were directed to keep a vigil at the locale.

The subsequent complaint does not contain specific details of the manner in which the alleged miscreants had prevented him from completing construction of his house. In fact, these are subsequent incidents which, if at all, give rise to a fresh cause of action.

In view of the above, no further order is passed in the contempt application.

It is expected that the police shall continue to comply with the order passed by this Court.

In the event a fresh cause of action arises, the petitioner shall be at liberty to approach this Court with an appropriate application.

Accordingly, the contempt application being CPAN 758 of 2024 is disposed of.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)