

07.07.2025
Court No. 35

M/L. No.16
Rakib

W.P.A. 10846 of 2025

Shaktipada Mondal.
VS
The State of West Bengal & Ors.

Mr. Abhijit Sarkar,
Mr. Raja Biswas.
...for the Petitioner

Mr. Jayanta Samanta, Jr. Govt. Adv,
Mr. Kazi Sajjad Alam.
...for the State.

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

Learned advocate appearing for the petitioner
submits that in spite of an ad interim order of injunction
having been passed the police authorities are not taking
adequate steps, thereby committing breach of the order
passed by the learned Civil Court in T.S. 82/2024.

State has submitted a report. Report reflects that
there is long standing land dispute existing between the
parties, the Civil Court is already is in seisin of the issue,
there are series of criminal cases which were investigated
and the police authorities did not find any substance in
such criminal cases. Presently the police authorities have
drawn up proceedings under Section 126 of the BNSS.

So far as the breach of any ad interim order
passed by the learned Civil Court is concerned,
appropriate remedy is available before the Civil Court.

So far as the police authorities are concerned, they would restrict themselves by ensuring that no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 10846 of 2025 is disposed of.

Report submitted by the State be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)