

D/L 154
22.05.2025
ct. no. 35
Kausik

W.P.A. 11313 of 2025

**Joydip Paul & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

...for the petitioners.

Mr. Tapan Kumar Mukherjee, Sr. Adv.
Ms. Pratiti Das

...for the State.

Petitioner is aggrieved by the action of the police authorities, particularly with regard to the fact as the petitioner claims there was a stay on the execution order in respect of demolition, but in spite of the same police assistance was rendered for demolition.

Learned advocate for the Municipality is present.

State has submitted a report. Report reflects that on 17.04.2025 the demolition was executed. During execution no stay order from any competent authority was placed by anybody before the police authorities and the requisition for such demolition order was made on 11.04.2025. So far as the police authorities are concerned police authorities in their report claimed that they were not

communicated with any information relating to any order of a Court of law granting stay. The order of demolition was passed by the learned Civil Judge (Junior Division), 1st Court, Barasat.

In view of the grievance expressed by the petitioner let the jurisdictional court having passed the stay order on the execution, decide the issue relating to the claim made by the petitioner.

At this stage, this Court will not interfere in respect of the prayer so advanced by invoking its jurisdiction under Article 226 of the Constitution of India.

Petitioner would be at liberty to approach the jurisdictional civil court.

With the aforesaid observations WPA 11313 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for 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.)