

D/L 28
25.02.2025
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ct.no.35

W.P.A.11909 of 2023

**Habib Ali Mondal
Versus
The State of West Bengal & Ors.**

Mr. Md. Younush Mondal.
...for the petitioner.

Mr. Tapas Kr. Mandal.
...for the State-respondents.

Petitioner is aggrieved by the fact that in spite of directions by the civil court in Title Suit No.400 of 2022, no assistance of the police was extended for implementation of such order and the petitioner is still facing the interference of the private respondents.

Learned advocate for the State is present and submits that similar prayers have been advanced before the learned civil court and an application under Section 151 of CPC is pending.

In view of the application under Section 151 of CPC pending before the learned Civil Judge (Senior Division), 1st Court, Barasat, I direct that if a direction is passed for rendering police assistance, the police authorities would respect, obey and implement the order of the civil court. In the meantime, police authorities would ensure that there is no breach of the peace and tranquility and/or any untoward

incident resulting from the inimical relationship existing between the parties.

With the aforesaid observations, WPA 11909 of 2023 is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)