

D/L 16
23.07.2025
Bpg.
ct.no.35

W.P.A.13708 of 2025

**Sri Annapurna Cotton Mills
& Industries Ltd. & Anr.
Versus
The State of West Bengal & Ors.**

Ms. Sreeparna Das
Mr. A.P. Gomes
Ms. Debolina Dey.
...for the petitioners.

Mr. Tanmay Kumar Ghosh
Mr. S. Das.
...for the State-respondents.

Mr. Partha Sarathi Das.
...for the private respondent nos.7 to 9.

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

Learned advocate appearing for the
petitioners is aggrieved by the act and action of the
police authorities as the property of the petitioners
are being used for events and for parking of vehicles.
Petitioners complain that a football tournament was
allowed to be conducted at the property of the
petitioners and no permission was taken from the
petitioners. Learned advocate has relied upon the
order passed in MP Case No.1608 of 2025 wherein
OC/IC was directed to restrain OP from illegal event
organizing and illegal parking.

On the other hand, learned advocate for the private respondent nos. 7 to 9 submits that in MP Case No.1734 of 2025 which was initiated at the behest of the private respondents the Executive Magistrate has passed an order that OC/IC was directed to restrain OP from illegal disturbance at the time of legal event.

Since the police authorities have acted pursuant to the direction passed by the Executive Magistrate, no action can be taken against the police authorities until and unless the legality or the illegality of the said order is interfered with by an appropriate statutory court.

In view of the aforesaid, further pendency of the writ petition is unwarranted. Petitioner would be at liberty to approach the jurisdictional statutory court for necessary remedies.

With the aforesaid observations, WPA 13708 of 2025 is disposed of.

There will be no order as to costs.

Report submitted on behalf of the State be kept on record.

Order dated 05.06.2025 in MP Case No.1734 of 2025 handed over by the learned advocate for the respondent be also kept with the record.

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.)