

D/L 60
16.07.2025
ct.no.35
Kausik

W.P.A. 13986 of 2025

**M/s. B.K. Steels Pvt. Ltd.
Versus
The State of West Bengal & Ors.**

Ms. Labanyaasree Sinha
Mr. Raghav Joshi
Ms. Paulomi Dutta
Mr. Sarbajit Sarkar

...for the petitioner.

Mr. Sayan Kanjilal

...for the private respondent no. 4.

Mr. Sirsanya Bandopadhyay
Mrs. Tapati Samanta

...for the State.

Petitioner and the respondent no. 4 claimed to be the owners in respect of different number of the property. But the subject matter according to the police report relate in respect of physically the same land.

Petitioner has filed Title Suit No. 682 of 2025 wherein an ad interim order of injunction was passed and a direction was subsequently passed by the Officer-in-Charge of Garfa Police Station to enforce the directions passed by the Civil Court. On the other hand, the respondent no. 4 has filed Title Suit No. 121 of 2021 wherein an injunction order has been passed as submitted by the learned

advocate and a report has also been submitted before the learned Civil Judge (Junior Division), 2nd Court, Alipore.

Having considered that, both the parties are having ad interim order of injunction from the Civil Court in respect of the number of plots being different, but physically the subject matter of land happens to be same, a joint inspection was requisitioned which was supposed to be conducted by the Executive Engineer, Building Department, Borough – XII, Assesor Collector as well as Borough-XII & BL & BLRO, Kolkata.

Having considered that a direction for joint inspection has been requisitioned, it was incumbent upon the Officer-in-Charge, Garfa Police Station to inform the learned Civil Judge (Junior Division), 2nd Court, Alipore as a report was called for on 30.06.2025 by the said Court.

In view of the report not having been submitted, I direct the Officer-in-Charge, Garfa Police Station to submit a report before the learned Civil Judge (Junior Division), 2nd Court, Alipore who would, if required, fix both the cases being Title Suit No. 682 of 2025 and Title Suit No. 121 of 2021 on the same date and assess as also ascertain regarding the nature of the orders and directions

which are required to be passed for the police authorities to implement.

Since the subject matter of the dispute is absolutely to be decided by the Civil Court, the police authorities have a limited role to play except for implementing the directions which must be in consonance and in interest of both the litigations.

Accordingly, the learned Civil Judge (Junior Division), 2nd Court, Alipore would prepone and fix the dates of both the suits being Title Suit No. 682 of 2025 and Title Suit No. 121 of 2021 on 08.08.2025.

The Officer-in-Charge, Garfa Police Station would submit a report in respect of his version along with the steps taken by him.

Learned Civil Court will accordingly take a decision after taking into account the subject matter involved in both the suits and pass necessary directions upon the police authorities.

With the aforesaid observations WPA 13986 of 2025 is disposed of.

Report so submitted be kept with the record.

Needless to state, since no affidavits have been called for, the accusations made in the writ petitions are deemed not to have been admitted.

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

(Tirthankar Ghosh, J.)