

D/L 204
21.04.2025
Kausik
ct.no.35

W.P.A. 15294 of 2024

**Swagata Saha Karmakar
Versus
The State of West Bengal & Ors.**

Mr. Md. Shamimuddin
Mr. Sk. Samiul Haque
Mr. Raunak Shaw
Ms. Manisha Manna

...for the petitioner.

Mr. Vimal Kr. Shahi, AGP
Ms. Rupsha Chakraborty

...for the state.

Petitioner claims that the private respondent in gross violation and non-compliance of the ad interim injunction order dated 19.10.2020 passed by the learned Civil Judge (Junior Division), 2nd Court, Baruipur in connection with title suit no. 186/2020 and TS No. 127/2020 had been trying to throw away the petitioner from her land.

Further the private respondent had been trying to raise illegal construction and have opened shops in the property belonging to the petitioner.

The said act and action of the private respondent was in violation of the order passed by the learned Civil Judge.

State has submitted a report. According to the report of the Inspector-in-charge, Narendrapur

Police Station as and when informations have been furnished, police authorities have taken steps under section 107/116(3) of Cr.P.C.

I have considered the agony expressed by the petitioner. Having considered the same I am of the view that since the civil court is already in seisin of the issue, the petitioner would take out appropriate application before the learned Civil Judge (Junior Division), 2nd Court, Baruipur.

Petitioner submits that an application for police assistance is pending before the civil court. In case there are directions for rendering police assistance, police authorities would respect, obey and implement the order. Police authorities would also assess the ground reality whether there is any possibility of the breach of peace. In case such circumstance arise, police authorities would prevent any untoward incident resulting from the strained relationship between the parties.

With the aforesaid observations WPA 15294 of 2024 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)