

06.08.2025
Item No.693
Ct. No.35
dc.

W.P.A. 15822 of 2024

**Sri Utpal Sarkar
versus
The State of West Bengal & Ors.**

Mr. Swarup Banerjee,
Mr. Arindom Chatterjee,
Mr. Arinjay Pal,
Mr. Subham Biswas ... For the Petitioner.

Mr. Rajarshi Biswas,
Mr. Shehnaz Tareq Mina ... For the State.

Mr. A. K. Acharyya,
Mr. Kushal Chatterjee ... For the Respondent Nos.6 & 7.

There was a direction passed in the present writ petition on 8th January, 2025. The same was after assessing the police report which was submitted. Exception has been filed to the police report by the petitioner.

Learned advocate appearing for the petitioner submits that presently the petitioner is in possession, but the same is not peaceful and disturbance is being created by the private respondents.

It is reflected from the order-sheets that a Title Suit No. 434 of 2021 is pending before the learned Civil Judge (Junior Division), 1st Court, Serampore, Hooghly. The ad interim injunction was passed on 18.12.2023. Subsequently an application under Section 151 of the Code of Civil Procedure was preferred wherein the Inspector-in-Charge, Uttarpara Police Station was directed to implement the order of injunction. Thereafter petitioner has

made several representations to the police authorities. There are orders of the revisional court also which were challenged before this Court. The petitioner and the private respondents are thickly contesting the civil suit and there were issues framed by this Hon'ble Court in C.O. 426 of 2024. It has also been pointed out that another civil revision being C.O. 1426 of 2024 was filed by the private respondent no.6.

So far as the issue relating to injunction is concerned, the revisional court has already dealt with the same. The police authorities have limited scope.

Learned advocate appearing for the private respondent nos. 6 and 7 opposes the manner in which the writ petition has been filed for creating circumstances thereby forcing the police authorities to act in deviation of law.

Be that as it may, police authorities are thickly having knowledge regarding the dispute between the petitioner and the private respondents. As earlier directed, police authorities would keep a strict vigil and take steps in case there is any violation of law and order.

Exception filed by the petitioner be kept with the record.

With the aforesaid observations, the writ petition being WPA 15822 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)