

D/L 11
06.02.2025
Kausik
ct.no.35

W.P.A. 16234 of 2024

**Kasinath @ Kashinath Barman
Versus
The State of West Bengal & Ors.**

Mr. Biswajit De
Ms. Mallika Manna

...for the petitioner.

Mr. Sukanta Das

...for the respondent no. 5.

Mr. Santanu Kr. Mitra, Sr. Govt. Adv.
Mr. Subhabrata Das

...for the state.

Petitioner is aggrieved by the fact that in spite of informing the police authorities on 08.06.2024, no action has been taken. According to the petitioner, in spite of the Hon'ble Division Bench refusing to interfere with the orders passed by the civil court, the private respondent no. 5 is proceeding with the construction.

State has submitted a report. Report reflects that police authorities have registered case being Pingla PS Case No. 140/2024 dated 02.07.2024.

Learned advocate for the private respondent has submitted a Photostat copy of the order dated 14.06.2024 wherein directions were passed under section 151 of the Civil Procedure Code upon the

Officer-in-Charge, Pingla Police Station, so that the order dated 01.09.2022 is implemented.

Since the Hon'ble Division Bench's order reflects that an application under Order 39 Rule 2(A) is pending, the learned Civil Court would oversee that the said application is disposed of at the earliest. In the meantime police authorities would ensure that the order passed by the learned Civil Judge, Senior Division, 3rd Court, Paschim Medinipur in TS No. 11 of 2021 is respected, obeyed and implemented.

Police authorities would also ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 16234 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocates appearing for the parties.

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

(Tirthankar Ghosh, J.)