

Sl.No.

65

29.07.2025

Court
No. 35

G.S.Das

WPA 15888 of 2025

Tarashankar Das & Anr.

-Vs-

The State of WB & Ors.

Mr. S. Majumder

Ms. Kalpita Paul

... for the Petitioner(s)

Mr. Swapan Banerjee, Id. AGP

Mr. Diptendu Narayan Banerjee

... for the State-respondent(s)

The petitioners are aggrieved by the fact that inspite of an ad interim injunction order passed in TS 4 of 2022, no steps have been taken by the police authorities and the private respondents are adamant in interfering with the cultivation which is being carried out at the behest of the petitioners. The petitioners preferred an application under Section 151 of the CPC which is pending before the learned Civil Judge (Jr. Divn.), Dantan.

The second prayer which has been submitted is that although the police

authorities on the basis of the complaint have registered a case being Belda PS Case No. 43 of 2025, no steps have been taken.

So far as the issue relating to the case pending before the learned civil court is concerned, it would be for the civil court which would take decision in case there has been breach of the ad interim order of injunction. This court will not interfere with the same.

However, so far as the second prayer of the petitioner is concerned, the police report depicts that charge-sheet, on conclusion of the investigation, has been submitted on 08.04.2025.

Having regard to the fact that charge-sheet has already been submitted, if the petitioners are aggrieved by the act and actions of the police authorities, they would approach the jurisdictional Magistrate *in seisin* of Belda PS Case No. 43 of

2025. The learned Magistrate would, in case such application is filed, dispose of the same within a period of 60 days from the date of filing of such application.

In view of the dispute existing between the petitioners and the private respondents, the police authorities would oversee that no breach of the peace and/or tranquility takes place as also they would keep a strict vigil to that effect.

With the aforesaid observations, WPA 15888 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Copy of the report be handed over to the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

