

Sl.No.

4

20.08.2025

Court
No. 35

G.S.Das

WPA 16798 of 2025

Sk. Kobad

-Vs-

The State of West Bengal & Ors.

Mr. Sk. Mustak Ali
Mr. L. Haque

... for the Petitioner(s)

Mr. Rajarshe Basu
Mr. Naren Ghosh Dostidar

... for the State-Respondent(s)

The petitioner is aggrieved by the fact that inspite of an order of temporary injunction passed by the learned Civil Judge (Sr. Division) in TS 35 of 2010 and, subsequently, directing the police authorities to ensure that the ad interim order of injunction is not violated, the private respondents have been interfering so far as the petitioner's egress and ingress is concerned as also changing the nature and character of the property.

State has submitted a report which reflects that a title suit is pending between the petitioner and the private

respondents and the same is *subjudice* before the learned civil court. There were directions also upon the police authorities.

The police authorities are well aware regarding the existence of the disputes pending before the learned civil court and in respect of the accusations so far as the violation is concerned, a proceeding under Section 126 of the BNSS has been drawn up.

Having regard to the steps so taken by the police authorities, I am of the opinion that the police authorities, at this stage, would only interfere, in case, there is violation of any law and order.

So far as the other issues are concerned, for breach of the civil court's order, the petitioner would take out an appropriate application before the learned Civil Judge *in seisin* of the title suit.

With the aforesaid observations, WPA 16798 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.)