

Sl.No.
154 19.08.2025
Court
No. 35
G.S.Das

WPA 18111 of 2024

Dipankar Mondal & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Partha Sarathi Basu
Mr. Sunit Roy
Mr. Sumitava Chakraborty
... for the Petitioner(s)

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar
... for the State-Respondent(s)

Learned advocate for the
petitioners submits that an injunction order
was passed in connection with TS 164 of
2024. However, inspite of such injunction
order, there have been violation at the
behest of the private respondents. To that
effect, information was furnished to
Tarakeswar police station which did not
yield any result.

Consequently, the Superintendent
of Police (Rural), Hooghly was informed
on or about 22.05.2024. However, till date,
the petitioners did not receive any

information regarding the steps so taken.

State has submitted a report which reflects that on the basis of the information so received on or about 07.05.2024, the police authorities have drawn up a proceeding under Section 107/116 of the Cr.P.C. As such, the police authorities are well aware regarding the nature of the dispute over the property as also the proceedings so pending.

Be that as it may, so far as the violation of the civil court's order is concerned, petitioners would, for breach of the civil court's order, take out an appropriate application before the learned jurisdictional civil court.

Learned advocate for the petitioners, at this stage, has relied upon a judgment delivered in MAT 560 of 2023. The said Judgment deals with the issues wherein final determination of rights

was decided in the civil suit. So far as the present writ petition is concerned, the petitioners are unable to place a case before this court that there has been final determination of rights by the civil court. Moreover, the injunction order which was passed was an ex parte order dated 10.05.2024.

Accordingly, I am of the opinion that the judgment of the Hon'ble Division Bench has no manner of application in the present case.

In view of the observations made above, I direct that the petitioner would approach the civil court. The police authorities would *only* interfere if there is any violation of law and order.

With the aforesaid observations, WPA 18111 of 2024 is disposed of.

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

Report so submitted be kept with

the record.

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.)