

D/L 8
14.08.2025
ct.no.35
Kausik

W.P.A. 17677 of 2025

**Dayal Pramanik & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Aishwarya Datta
Ms. Bidisha Chakraborty
Mr. Mahammed Reajul

...for the Petitioner.

Mr. Golam Karim Chowdhury
Mr. Astak Alam

...for the respondent nos. 10, 11.

Mr. Suman Sengupta, Sr. Govt. Adv.
Mr. Dwarikanath Mukherjee
Mr. Tapas Ballav Mandal

...for the State.

Affidavit of service filed be kept with the
record.

Petitioner is aggrieved by the fact that he is
unable to enjoy his property in spite of civil court
passing ad interim order of injunction.

Learned advocate submits that Title Suit
No. 60 of 2018 is pending before the learned Civil
Judge (Junior Division), 6th Court, Alipore and there
is an ad interim injunction of status quo for not to
disturb the peaceful possession of the plaintiff in the
civil suit.

Learned advocate appearing for the State has submitted a report. Report reflects that the said order was extended from time to time but ultimately on 12.09.2024 no extension was prayed for and the next date has been fixed on 22.09.2025.

Learned advocate for the private respondent nos. 10 and 11 submits that they had been enjoying the property for a considerable period of time.

It is an admitted position that the civil court is in seisin of the dispute relating to the right, title and interest of the property. If there has been any breach of the order of the civil court it would be for the petitioner to approach the civil court for necessary remedies for breach of any order so passed in T.S. No. 60 of 2018. Police authorities would only restrict themselves in such situations that there is no violation of law and order.

With the aforesaid observations WPA 17677 of 2025 is disposed of.

Report submitted be kept with the record. Copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)