

D/L 14
21.08.2025
Bpg.
ct.no.35

W.P.A.19036 of 2025

**Shyamal Mistry
Versus
The State of West Bengal & Ors.**

Mr. Kingsuk Mondal.
...for the petitioner.

Mr. K.J. Yusuf
Ms. Rupsha Chakraborty.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains that in spite of the order
of injunction passed in T.S. No.209 dated 04.04.2025,
wherein the learned Civil Judge (Junior Division), 1st
Court, Baruipur directed that the defendants are
restrained from entering and disturbing the peaceful
possession of the plaintiff/petitioner, the padlock has
been broken and the private respondents have
violated the order of the civil court. Information was
sent to the local police station, however, no effective
steps have been taken.

State has submitted a report which reflects
that there was a long standing dispute and the
records of the police station reflects that Jibantala
Police Station Case No.340 of 2025 was registered for

investigation and on completion of investigation charge-sheet has been submitted. So far as the specific incident which has been informed to the police authorities, the same on being received, a proceeding under Sections 126/135 of the BNSS has been drawn.

Having considered that the police authorities are well aware regarding the dispute existing between the petitioner and the private respondents as also the factum of the civil court already in seisin of the dispute, I am of the view that the police authorities would interfere if there is violation of law and order. However, so far as the issue relating to property is concerned, petitioner would approach the civil court for necessary directions upon the police authorities.

With the aforesaid observations, WPA 19036 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A 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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)