

Sl.No.
64 24.09.2025
Court
No. 35
G.S.Das

WPA 22313 of 2025

Bhupati Sipai & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Kingsuk Mondal
Mr. Partha Sarathi Mondal
... for the Petitioner(s)
Mr. Suman Ghosh
Md. Moniruzzaman
... for the State-respondent(s)
Mr. S. S. Biswas
Mr. Amitava Deb
... for the respondent no. 5

The petitioners are aggrieved by the fact that inspite of an ad interim injunction order being passed in TS 528 of 2025, the private respondents have been violating the same.

Learned advocate for the petitioners further submits that an illegal construction is being raised at the behest of the private respondents.

However, I find from the order dated 22.07.2025 passed by the learned Civil Judge (Sr. Divn.), Diamond Harbour that an Advocate Commissioner has been

appointed for local inspection.

Learned advocate for the respondents are present.

In view of the civil court being thickly *in seisin* of the issues and the fact that an Advocate Commissioner having been appointed, legality and/or illegality of any construction is to be reported by the said Advocate Commissioner before the learned jurisdictional court wherein the dispute is *subjudice*.

The police authorities, for the time being, will oversee that there is no breach of any peace and/or tranquility or, any untoward incident resulting from the inimical relationship existing between the petitioners and the private respondents.

With the aforesaid observations, WPA 22313 of 2025 is disposed of.

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

Report so submitted be kept with

the record. A copy of the report be handed over to the petitioners.

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.)