

25.09.2025

Item No.72

Ct. No.35

dc.

W.P.A. 22838 of 2025

**Durgarani Mondal
versus
The State of West Bengal & Ors.**

Ms. Disha Shukla,
Mr. Partha Chakraborty ... For the Petitioner.

Mr. Amitabrata Roy, Id. GP,
Mr. Shibasish Banerjee ... For the State.

Ms. Shila Sarkar ... For the Respondent No.6.

Report submitted by the learned advocate appearing for the State be kept with the record.

Petitioner is aggrieved by the fact that in spite of injunction order passed in T.S. No. 382 of 2024, the private respondent is illegally carrying out construction by violating the order of the civil court.

Learned advocate appearing for the private respondent no.6 submits that the dispute complained of is a civil dispute and the police authorities have no scope for interference.

Petitioner has also initiated a title suit being T.S. No. 382 of 2024 wherein a direction has been passed upon the Officer-in-Charge, Minakhan Police Station to implement the injunction order.

State has submitted a report which reflects that information was furnished for stopping the construction and proceedings have been drawn up under Section 126 of BNSS. It has also been pointed out in the police report that respondent

no.6 has filed a civil suit being T.S. No. 817 of 2025. A business from a shop is being carried out. However, no construction work is going on, according to the report.

In view of the report so submitted by the police authorities, if there are any factual discrepancies which is consequent to breach of the civil court's order having taken place, petitioner would be at liberty to approach the civil court pointing out the specific deviations, violations which have taken place in spite of the injunction order being in existence.

Police authorities have drawn up proceedings under Section 126 of BNSS. They would presently ensure that no breach of the peace or violation of any law and order takes place between the parties.

With the aforesaid observations, the writ petition being WPA 22838 of 2025 is disposed of.

Copy of the report be handed over to the learned advocates appearing for the petitioner and the private respondent.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)