

WPA 23229 of 2025

Sk. Saifuddin
Vs.
The State of W. B. & Ors.

Mr. Dhananjay Banerjee
Mr. Pralay Hazra ...for the petitioner.

Mr. Vivekananda Bose
Mr. Tirthankar Dey ...for the State.

Mr. Sanat Kr. Das
Mr. Suvadip Bhattacharjee
Mr. Rohan Bavishi ...for the respondent nos.4,5 & 9.

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner has been granted an order of ad interim injunction by the learned Trial Court in Title Suit No.286 of 2025 restraining the defendants/private respondents herein from raising any illegal construction or encroach any portion of the 'ka' and 'ka-1' schedule property.

The petitioner alleges that the said order being violated by the respondents he filed a petition seeking police assistance which was also allowed by the learned Trial Court. The respondents are still continuing to raise illegal construction in the plots in question in violation of the order of interim injunction.

Learned counsel for the State submits that on spot enquiry no sign of ongoing construction work was found at the disputed property. The police is continuing vigil in the area to avoid any untoward incident.

Opposing the contention of the petitioner, learned counsel for the private respondents submits that the private respondents are raising construction in their own property upon compliance with the relevant rules and have not encroached upon any portion of the properties involved in the suit.

Since it appears that the police has already taken steps for implementation of the order of injunction granted by the learned Trial Court and is keeping strict vigil in the area, nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

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

(Suvra Ghosh, J.)