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jdt. 07.11.2025
jb.

WPA 23720 of 2025
(Sri Sib Sankar Barik vs. State of West Bengal & Ors.)

Mr. Sandipan Banerjee
Ms. Utsa Dutta
Ms. Malati Kumari
Ms. Priyanka Sen
.... **For the Petitioner**
Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata
.... **For the State**
Mr. Nilanjan Adhikari
Ms. Oindrila Sinha
.... **For the Respondent no. 4**
Mr. Sujit Bhattacharya
Mr. Mihir Kumar Das
.... **For the Respondent nos. 5-9**

Report submitted by the State is taken on record.

Learned counsel for the petitioner submits that the private respondents have been constructing a wall by disturbing the egress and ingress of the petitioner for which the petitioner filed a title suit being T. S. no. 1440/2022. By an order passed on 28th September, 2022, the learned trial Court restrained the defendants/respondents from disturbing the peaceful possession of the petitioner/plaintiff no 1 in respect of the property in question. The petitioner alleges that the private respondents have been raising construction in violation of the said order and the police has not taken any steps for implementation of the order.

It appears from the report submitted by the State that on local enquiry it was found that the boundary wall mentioned by the petitioner was an old existing structure and no fresh construction/alteration was noticed.

Since the petitioner is enjoying the order of interim injunction granted by the learned trial Court, he is at liberty to take necessary steps before the learned trial Court for implementation of the order as well as violation, if any.

In the meantime, the police authority is directed to keep strict vigil over the area so that no untoward incident occurs and there is no breach of peace or tranquility.

With the above observations and directions, the writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)