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jdt. 05.12.2025
jb.

WPA 24222 of 2025
(Abdus Selim Seikh vs. State of West Bengal & Ors.)

Mr. Manas Kr. Das
Ms Samima Akter
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
.... For the State
Hamidur Rahaman
.... For the Private Respondent nos. 5-7

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

The petitioner alleges that despite an order of temporary injunction passed by the learned trial Court on 2nd September, 2020 directing both the parties to maintain status quo in respect of the nature and character of the property in question till disposal of the suit, the private respondents are digging earth and raising construction as well as boundary wall therein in violation of the order. Several representations submitted by the petitioner before the police authority have not been acted upon.

It appears from the report submitted by the State that enquiry was held by the police pursuant to the representations submitted by the petitioner and it was found that no construction was found in the disputed land. The report refers to the civil suit pending between the parties.

Learned counsel for the private respondents submits that the representations filed by the petitioner are without any substance and the order of temporary

injunction has not been violated by the private respondents.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that in the event the petitioner alleges violation of the order of temporary injunction granted by the learned trial Court, he is at liberty to approach the learned trial Court for redressal of his grievance in accordance with law.

In the meantime, the police authority shall keep strict vigil over the area in order to maintain peace and tranquility and to ensure that the order of temporary injunction passed by the learned trial Court is not violated.

The writ petition is accordingly 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.)