

01 17.09.2025
tbsr Ct. 28

CPAN 1703 of 2024
In
WPA 11986 of 2023

Murari Mohan Mondal
Vs.
Utpal Pramanick

Mr. Ivan Roy
...for the petitioner

Mr. Swapan Banerjee
Mr. D. N. Banerjee
Mr. S. Chatterjee
....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. By an order dated 20th December, 2025, the writ petition was disposed of by directing the police authorities to keep a sharp vigil at the locale and ensure that no breach of peace took place. It was further directed that if any untoward incident occurred or was apprehended by the petitioner, he would be at liberty to intimate the Officer in Charge of the local Police Station who would act in accordance with law. After passing of this order the police had done nothing to maintain peace. In fact, on several occasions when the petitioner went to open the padlock of the shop room, he was prevented from

doing so. The alleged contemnor had not complied with the order and had deliberately violated the same.

Learned counsel appearing on behalf of the State opposes the prayer and relies on the compliance report. He submits that regular vigil was kept at the place as per order. However, after making a complaint, the petitioner did not come back to the Police Station with any prayer. Civil suits are pending between the parties and there is an order of status quo.

First, it does not appear from the order passed by this Court that the petitioner had submitted that he was having difficulty opening a padlock. However, if that is the case and it gives rise to a new cause of action, the petitioner shall be at liberty to move the appropriate forum.

However, it is also not proper for the police authorities to state that once a complaint was made, as the petitioner did not revert back, so no action need be taken. The police authorities was supposed to take action on the complaint especially in view of the order passed by this Court or, at least, record the reason for not taking any further action.

Let the police comply with the order in its letter and spirit and in accordance with law.

No further order need be passed in this regard.

With these observations, the application for contempt is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)