

Sl.No. 17.03.2025
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Court
No. 35
G.S.Das

WPA 26116 of 2022

Alisha Fernandez & Anr.
-Vs-
The State of West Bengal & Ors.

Ms. Pratiti Das
... for the Petitioner(s)

Mr. Kartik Ch. Kapas
... for the State-respondent(s)

The petitioner is aggrieved by the fact that in spite of an order passed in Misc. Appeal No. 290 of 2022, the private respondents have completed construction. To that effect, the police authorities were informed but the police authorities did not render any support.

The petitioner by relying upon the enclosures submits that the information was furnished to the police authorities on or about 20th September, 2022, while, in the report submitted by the Officer-in-charge of Kasba Police Station, it is

reflected that, although, the petitioner informed the police station through letters, but by that time a four storied residential building was already constructed and several persons were found residing therein. Further construction work was not allowed by the police authorities and the private respondent nos. 6 and 7 were informed that there was a direction from the court for not transferring, annihilating and/or parting with the property.

As none appears on behalf of the State, Mr. Kartik Chandra Kapas, learned advocate who is empanelled with the office of the Government Pleader, is directed to represent the State. His appointment may be regularized by the concerned authorities.

In view of the prayer which has been advanced in the writ petition for implementing the order passed in Misc. Appeal No. 290 of 2022 and the report submitted by the police authorities, I am

of the view that if there is any grievance of the petitioner that there has been violation of the order passed by the learned Civil Court, it would preferably, in the facts and circumstances of the case, be brought to the notice of the learned civil court concerned. The civil court will assess regarding the violation of the order, thereafter, pass necessary direction(s) upon the police authorities and/or administration to take steps in accordance with law.

With the aforesaid observations, WPA 26116 of 2022 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

