

D/L 29
10.04.2025
Bpg.
ct.no.35

W.P.A.28459 of 2024

Mithun Mondal
Versus
The State of West Bengal & Ors.

Mr. Sujit Kumar Rath
Mr. Anirban Saha.
...for the petitioner.

Mr. Ashim Kr. Ganguly
Mr. Bellal Shaikh.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Records reflect that by an order dated 30th
August, 2024 the learned Civil Judge (Junior
Division), Kakdwip passed a direction for advocate
commission. Thereafter, on 11.09.2024 an application
was filed by the petitioner/plaintiff for maintaining
strict vigil by Dholahat Police Station which was
allowed by the learned Civil Judge (Junior Division),
Kakdwip in Title Suit No.210 of 2024.

State has submitted a report which reflects
that the police authorities have drawn up proceedings
under Section 126 of the BNSS against both the
parties. Earlier proceedings were drawn up under
Section 107 of Cr.P.C. Subsequently, Dholahat Police
Station Case No.480 of 2024 dated 16.08.2024 was

registered for investigation under the relevant provisions of BNS.

The steps which have been taken by the police authorities are in respect of violations. However, the police authorities till date did not abide by the order passed by the learned Civil Judge (Junior Division), Kakdwip. Accordingly, police authorities are directed to implement the order passed by the learned Civil Judge (Junior Division), Kakdwip until and unless the same has been altered by any higher forum. In case the police authorities face any difficulties they are supposed to submit their report of inconveniences faced by them before the learned Civil Judge (Junior Division), Kakdwip. In the alternative, they would respect, obey and implement the orders passed upon them to be executed.

With the aforesaid observations, WPA 28459 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)