

12.03.2025
Court No. 35
Item No.144
Rakib

W.P.A. 28446 of 2024

**Manoranjan Adhikari & Ors.
VS
The State of West Bengal & Ors.**

Mr. Dr. Siddhartha Goswami,
Ms. Upasana Shaw.
... for the Petitioners.
Mr. Suman Ghosh,
Mr. Siddhartha Ghosh.
... for the State.

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

Petitioners are aggrieved by the fact that inspite of
directions passed by the learned 1st Additional Court,
Diamond Harbour, South 24 Parganas in T.S. 371/2024
the private respondents had been pursuing their illegal
activities and are violating the order passed by the
learned Civil Court. To that effect informations were
furnished with the police authorities but the police
authorities restricted themselves by way of recording the
G.D. Entry and did not respect the order of the learned
Civil Judge.

State has submitted a report. Report reflects that
Civil case has been initiated by both the petitioners as
well as the private respondents being T.S. No. 371/2024
and T.S. No. 412/2024. Since the dispute is already
before the Civil Court, naturally without a specific
direction upon the police authorities they are unable to
execute and/or implement any order.

Petitioners therefore is granted liberty to approach the Civil Court with an appropriate prayer for rendering police assistance in respect of the status quo order and/or any other order being flouted or violated at the behest of the private respondents. If the learned Civil Judge passes any direction upon the police authorities, appropriate assistance will be rendered by them and the police authorities would respect, obey and implement the order of the learned Civil Court.

With the aforesaid observations WPA 28446 of 2024 is disposed of.

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

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

(Tirthankar Ghosh, J.)