

Court No. 2
(1545)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

06.11.2025
(JPD 16)
(S. Banerjee)

WPA 2232 of 2025

Sahidar Alam
Vs.
The State of West Bengal & Ors.

Mr. Bikramaditya Ghosh
Mr. Mayank Bhandari
Mr. Ved Rai
Mr. Vivek Saha

... for the petitioner

Ms. Bedashruti Bose
Mr. Sandip Guha Roy

... for the State

The petitioner has alleged that the police authorities have not taken any step pursuant to the order of injunction passed by the civil court.

Mr. Ghosh, learned advocate appearing for the petitioner submits that the petitioner filed a suit for declaration of title and permanent injunction and the learned trial judge passed an ad interim order of injunction restraining the private-respondents from disturbing the peaceful possession of the petitioner in respect of the property in question. He further submits that since the police authorities were not obeying the order of injunction, the petitioner filed an application under Section 151 of the Code of

Civil Procedure and the civil court allowed such application directing the police authorities to comply with the order passed by the civil court. Mr. Ghosh further submits that no steps have been taken by the police authorities in spite of an order passed by a civil court on an application under Section 151 of the Code of Civil Procedure.

Learned advocate appearing for the State submits that the police authorities have already filed the report before the learned Civil Court and the civil court be directed to consider such report and pass orders accordingly.

In reply, Mr. Ghosh submits that the private respondents are disturbing the peaceful possession of the petitioner and the petitioner is willing to deposit the police cost for deployment of police personnel at the property in question.

After going through the materials on record this court finds that the civil court has directed the Officer in Charge of Rajganj Police Station to comply with the order passed by the civil court and to see that such order is not violated in any manner causing any serious breach of peace there.

It is the duty of the police authorities to comply with the order dated March 13, 2025 unless

the same is modified or vacated by any competent court of law.

Since the report has been filed by the police authorities before the civil court, it will be open to the civil court to pass appropriate orders. However, since the petitioner is willing to deposit police cost for deployment of police personnel at the locale, the petitioner is left free to file an appropriate application/representation before the competent authorities under the relevant Regulations praying for deployment of police personnel.

If such a representation is submitted before the appropriate authority, such authority shall consider and dispose of such application by passing an order in accordance with law.

With the above observations and directions this writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)