

11 **27.04.2026**
(DL) Court No. 05
 (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 6368 of 2026

Sri Gautam Ghosh
-Versus -

State of West Bengal & Ors.

Mr. Sanjib K. Mukhopadhyay
Ms. Nargish Parveen

....for the petitioner

Ms. Jhuma Chakraborty
Ms. Rupsha Chakraborty

....for the State respondents

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. In spite of service of notice, private respondents are not represented.
3. It is contended by learned advocate representing the petitioner that in spite of order passed by the civil court on 8th July, 2025 directing the concerned police authority to ensure compliance of *ad interim* order of injunction dated 23rd June, 2025 passed by the learned Civil Judge (Junior Division), Nabadwip, Nadia in Title Suit No. 90/2025 (hereinafter referred

to as “said order”), police authority is not taking steps. Petitioner prays for direction upon the concerned police authority for compliance of the order of the civil court dated 8th July, 2025 read with said order.

4. Learned advocate representing the State respondents has filed a communication dated 31st March, 2026 of Inspector-in-Charge of Nabadwip Police Station (for short, “said communication”) and same is taken on record. Copy of said communication is made over to learned advocate representing the petitioner.

5. It is disclosed in said communication that police authority took steps for compliance of said order in view of subsequent order passed by the civil court on 8th July, 2025 and requested respondent no. 5 to comply with said order. In addition thereto, it appears from said communication that based on the complaint of the petitioner a criminal prosecution being Nabadwip Police Station Case No. 516/25 dated 5th July, 2025 was initiated under certain provisions of Bharatiya Nyaya Sanhita, 2023 and charge-sheet being Nabadwip Police Station Charge-Sheet No. 695/25 dated 7th December, 2025 was submitted against FIR named persons before the jurisdictional Magistrate.

6. By said order civil court restrained the defendant in Title Suit No. 90/2025 from disturbing possession of the plaintiff over the suit property and from creating any obstruction in installation of iron gate provided it does not disturb entry or exit of the defendant. Subsequently another order was passed by the civil court on 8th July, 2025 on application under section 151 of the Code of Civil Procedure directing the concerned police authority to ensure compliance of said order.

7. Till said order subsists concerned police authority is directed to take steps for compliance of said order but at the same time police authority shall ensure that entry and exit of the private respondents to and from the suit property is not affected.

8. Based on the complaint lodged by the petitioner criminal prosecution was initiated and charge-sheet was submitted before the jurisdictional Magistrate. In view of such steps taken by the concerned police authority, no further order need be passed on this writ petition.

9. However, petitioner shall be at liberty to approach the jurisdictional Magistrate, if occasion so arises.

10. Writ petition stands disposed of.

11. There shall be no order as to costs.

12. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)