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rkd 21.04.2026
Ct.05

W.P.A. 7994 of 2026

Abdur Rahaman Mallick

-vs-

The State of West Bengal & Ors.

Mr. Parthapratim Ray,
Mr. Keshab Chandra Das,
Ms. Aparajita Mandal

....for the petitioner.

Mr. Sukumar Ghosh,
Ms. Mouita Ghosh

....for the Private respondents.

Mr. Sambuddha Dutta,
Mr. Bikramjit Mandal

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner prays for implementation of the order dated 12th September, 2024 passed by the civil court on an application under Section 151 of Code of Civil Procedure (for short 'CPC') read with ex parte ad interim order of injunction dated 6th July, 2024.
3. It is submitted though concerned police authority was directed to take steps in terms of the aforesaid order dated 12th September, 2024 for implementation of the direction as contained in the order dated 6th July, 2024 but there is non-cooperation so far police authority is concerned.
4. In addition thereto, it is also submitted that petitioner tried to make construction over the land in question which is objected by the private

respondents and petitioner was restrained from raising construction.

5. Learned advocate representing the private respondents has opposed this writ petition and it is submitted that they have not violated the order passed by the civil court on 6th July, 2024.
6. State respondents are represented by learned advocates who has also submitted that considering the nature of order passed by the civil court on 6th July, 2024 it can be deduced that petitioner was not permitted to make construction over the scheduled suit property.
7. A report dated 20th April, 2026 of Inspector-in-Charge, Singur Police Station is filed today on behalf of the State respondents and same is taken on record. Copies of the report dated 20th April, 2026 are made over to the learned advocates representing the petitioner and private respondents.
8. Vide ex parte ad interim order of injunction passed by the civil court private respondents being the defendants in the suit were restrained from disturbing peaceful possession of the plaintiff over A-1 schedule property and also defendants were restrained from changing nature and character of the same for a limited period.
9. According to the State respondents no case is made out in the writ petition that any construction

is attempted to be made by the private respondents.

10. This Court finds substance in the submission made on behalf of the State respondents that vide order dated 6th July, 2024 civil court restrained the private respondents from disturbing peaceful possession of the plaintiff over scheduled property and also restrained the private respondents from changing nature and character of the said property. No case is made out in the writ petition that private respondents tried to change the nature and character of the scheduled property.
11. It appears from the submission made on behalf of the petitioner that by placing reliance on the order dated 6th July, 2024 petitioner seeks a direction from this Court which would permit the petitioner to make construction on the suit land but there is no such order passed by the civil court vide ex parte ad interim order of injunction dated 6th July, 2024.
12. If police authority finds that petitioner is threatened at the instance of the private respondents in that event steps shall be taken by the police authorities in accordance with law.
13. In addition thereto, police authorities shall maintain peace and tranquility at the locale.
14. With the aforesaid directions, writ petition stands disposed of.

15. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)