

08.01.2026
rc/ct.no.05
Item No.09

WPA No. 26599 of 2025
Shri Nemai Chandra Das
Versus
The State of West Bengal & Ors.

Mr. Santanu Chatterjee
Mr. Sourav Guha
Mr. Ranit Roy ..for the Petitioner

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswasfor the State

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

The private respondent is not represented despite service.

The petitioner is a tenant in respect of the premises under the private respondent.

Learned counsel for the petitioner submits that the petitioner filed a suit before the learned Civil Judge (Junior Division), 2nd Court, Barrackpore and by an order passed on August 13, 2025 the learned trial Court granted an order of ad interim injunction in favour of the petitioner restraining the private respondent from evicting or dispossessing him from the property. Despite such order, the petitioner has been forcibly dispossessed from the property by the private respondent. The petitioner approached the police

authority by lodging a complaint but no step has been taken.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since a civil suit is pending between the parties and the petitioner alleges violation of the order of ad interim injunction granted by the learned trial Court, the petitioner is at liberty to take necessary steps before the learned trial Court for redressal of his grievance.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

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

(Suvra Ghosh,J)