

D/L 67
30.06.2025
Bpg.
ct.no.35

W.P.A.12623 of 2025

**Tanushree Bhunia @ Sikha Bhunia @ Dolai
Versus
The State of West Bengal & Ors.**

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury.
...for the petitioner.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee.
...for the State-respondents.

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

Petitioner is aggrieved by the fact that in
spite of an ad interim order of injunction passed in
T.S. No.140 of 2024, the respondents violated the
same. To that effect, petitioner took out an
application under Section 151 of the Code of
Criminal. Pursuant to which, there was a direction
upon the police authorities. In spite of direction upon
the police authorities, the respondents continued to
cultivate the land and there has been complete
breach of the order passed by the learned Civil Judge
(Senior Division), 2nd Court, Paschim Medinipur.

Police has submitted a report wherefrom it
reflects that an enquiry was made on 07.08.2024

wherein during enquiry it was found that none of the parties involved had cultivated over the suit land.

Petitioner has complained to the superior officer of the police authorities.

Be that as it may, since there is a dispute regarding the factual foundation particularly with regard to the cultivation of the land when the petitioner complains of the respondents cultivating the land by violating the civil court's order, the police authorities submits that no cultivation has been carried out. However, the petitioner disputes such contentions of the police authorities.

In view of the aforesaid, petitioner would take out an appropriate application under Order XXXIX Rule 2A of the Code of Civil Procedure before the civil court. If necessary directions are passed, the superior officer of the police would ensure that the breach of the order, if any, assessed by the civil court be taken into account and necessary steps be taken.

Police authorities also have drawn up proceedings under Section 126 of the BNSS on 28.06.2025. Accordingly, they would continue their surveillance and ensure that no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 12623 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

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

(Tirthankar Ghosh, J.)