



Title Suit/39/2025

Present : Rajib Sarkar

JO Code WB01509

Sudip Lahiri Vs. Alok Kumar Chatterjee

Order No. 04

Date 26.03.2025

The record is put up along with petition U/s 151 CPC filed by the plaintiff.

The instant petition has been filed praying for police help for enforcement of the order of temporary injunction passed by this Court vide order No. 02 dated 10.03.2025.

In the case of Rai Naramma Vs. State of Andhrapradesh (2021) it was held by the Hon'ble Andhrapradesh High Court that police help shall usually not be granted for implementation of the ex-parte ad-interim order of injunction. Since, it is not an order on merits after hearing both the parties, the Courts would be very slow in granting police aid till the possession and rights of the parties are determined after enquiry based on evidence. However, it was observed by same Hon'ble High Court in Kasturi Venkata Subbaiah and others Vs. Veerapareddy Yasodamma that inherent power of a Court to grant police aid even to enforce the order of ad-interim injunction can be exercised and there can be no dispute about the same.

The present case is regarding the alleged act of violation of the temporary injunction order passed by this court after contested hearing of both the parties.

Therefore, the combined effect of both these judgments is that it is well within the power of this Court to grant police aid for enforcing an order of injunction but such power must be exercised cautiously and only in cases where necessity requires.

Accordingly, the instant petition is allowed without any order as to cost.

As such, the I/C, Nabadwip PS is directed to ensure strict compliance of the order of temporary injunction passed by this Court vide order No. 02 dated 10.03.2025 and send the compliance report to this end by the next date.

Let a copy of this order along with a copy of order No. 02 dated 10.03.2025 be sent to the I/C, Nabadwip PS for his notice and due compliance.

Fix 29.04.2025 for compliance report by the I/C, Nabadwip PS.

(Dictated and Corrected by me

Sd/-
Civil Judge(Jr. Divn)
Nabadwip, Nadia

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