

09.11.2023
SL No.10
Court No.5
(rp/gc)

WPA 25824 of 2023

**Tajauddin Sardar
Vs.
The State of West Bengal & Ors.**

Mr. Debasis Sur,
Mr. Hare Krishna Halder,
Mr. Goutam Sardar,
Mr. Mrinmoy Chatterjee,
Mr. Himadri Sekhar Paul

...for the Petitioner.

Mr. Mrinal Kanti Ghosh,
Mr. Chandra Nath Sarkar

...for the Respondent Nos.7 to 16.

Mr. Somnath Ganguli, Ld. A.G.P.,
Ms. Priyamvada Singh

...for the State.

1. The petitioner alleges that the private respondents are threatening him and not permitting him to take steps in the hearing which is ongoing before the Highway Authority.
2. The aforesaid allegation of the petitioner is denied by the learned Advocate representing the private respondents. It has been submitted that the proceeding before the Highway Authority has already been concluded.
3. A copy of the order dated 3rd November, 2023 passed by the Assistant Engineer, Lakshmikantapur Highway Sub-Division,

P.W. (Roads) Directorate is placed before this Court.

4. The private respondents on the contrary submit that the petitioner is threatening them with dire consequences and a compliant to that effect has been lodged before the Inspector-in-Charge, Kultali Police Station on 1st November, 2023.
5. It appears from the submissions made on behalf of both the parties that complaint and counter-complaint filed by the petitioner and the private respondents are pending consideration before the police.
6. The Inspector-in-Charge, Kultali Police Station has forwarded a report before this Court wherefrom it appears that there is an issue with regard to the encroachment of the land of the petitioner.
7. An enquiry was conducted by the police and the police has submitted a prosecution under Section 107/116(C), Cr.P.C being PS NCR No.698/23 dated 7th November, 2023. A General Diary being PS GDE No.299 dated 7th November, 2023 has also been diarized.
8. The Inspector-in-Charge, Kultali Police Station is directed to ensure that there is no breach of peace in the locality and the

parties will be at liberty to approach the competent forum for adjudication of their civil rights.

9. The writ petition stands disposed of.

(Amrita Sinha, J.)