

D/L 42
18.11.2024
Kausik
ct.no.35

W.P.A. 2539 of 2024

**Bishu SK.
Versus
State of West Bengal & Ors.**

Mr. Tapan K. Bhattacharyya
Mr. Aviroop Bhattacharyya

...for the petitioner.

Mr. Ashim Kr. Ganguly, Sr. Adv.
Mr. Tarak Karan

...for the state.

Petitioner is aggrieved by the fact that the private respondents are disturbing the possession of the petitioner. To that effect, petitioner approach the learned executive magistrate. The executive magistrate is never the authority to decide the right, title and interest of the property.

Petitioner would be at liberty to approach the jurisdictional civil court for appropriate relief.

Report submitted by the state be kept with the record. Report reflects that the police authorities have initiated proceedings under section 107 of the Code of Criminal Procedure.

Having considered the plight expressed by the petitioner which is the disturbance allegedly created by the private respondents, I direct the police

authorities to keep a strict vigil and to ensure that no breach of peace takes place at the locale in respect of the subject property complained of.

With the aforesaid observations WPA 2539 of 2024 is disposed of.

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.

(Tirthankar Ghosh, J.)