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17.12.2024
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ct.no.35

W.P.A.15690 of 2024

**Debansu Bakshi & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Ashis Kumar Chowdhury
Mr. Rajib Ghosh
Mr. Babhru Bahan Bera.
...for the petitioners.

Mr. Amitesh Banerjee
Mr. Tarak Karan.
...for the State-respondents.

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

Petitioners complain that the private respondents are creating disturbances, harassment and abusing the petitioners by using derogatory languages and making life of the petitioners miserable. Additionally, it has been submitted that the respondent no.6 is a civic volunteer who has been the fulcrum of creating all this problem by show of powers. It has been submitted that CCTV cameras which have been installed by the petitioners have been blocked.

Learned advocate for the State has submitted a report. Report reflects that the subject matter of dispute arose out of installation of CCTV cameras at the flat premises. It has also been referred to in the

report that proceedings under Section 144(2) and 107 of the Code of Criminal Procedure have been initiated and several complaints have been received by the Regent Park Police Station.

So far as the issue relating to installation of CCTV cameras are concerned, the petitioners would approach the jurisdictional civil court as the same should ensure that the privacy of other flat owners are not breached.

So far as the issue relating to harassment, humiliation and use of abusing languages are concerned which the petitioners have been facing as has been alleged in the complaint, I direct that the petitioners would be at liberty to approach the jurisdictional criminal court by way of invoking the provisions of Section 223 of the BNSS. Learned Magistrate would assess regarding the nature of accusations and proceed in accordance with law. In the meantime, the police authorities would keep a strict vigil and ensure that there is no breach of the peace or tranquility and/or any untoward incident which may result because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 15690 of 2024 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.)