

09.12.2024

BP/AGM
MI. 369
Court No. 35

WPA 18174 of 2023

**Mourjan Molla & Ors.
Vs.
The State of West Bengal and Ors.**

Mr. Soumen Gayen.
Mr. Sandipan Maity.
... For the petitioners.

Mr. Sk. Md. Galib. Sr. Govt. Adv.
Mr. K. M. Hossain.
... For the State.

Petitioners have complained that the private respondents are threatening, abusing, harassing, humiliating and restricting the petitioners from enjoying their property. To that effect several complaints have been lodged with the Kultali Police Station. However, the police authorities is inactive.

Petitioners complained that even after sustaining injury, no action has been taken by the police authorities.

Learned advocate appearing for the State has submitted a report. The report reflects that the police authorities have recorded general diary entries in respect of the communication so made and prima facie the police authorities have opined that the land dispute is the genesis of the differences between the petitioners and the private respondents.

Be that as it may, petitioners would be at liberty to approach before the jurisdictional magistrate under the relevant provisions of Section 175 (3)/223 of the BNSS in case the police authorities have not acted on their complaint.

Petitioners would also be at liberty to file a fresh

representation before the Officer-in-charge, Kultali Police Station in view of the last complaint which is available before this Court is dated 25th June, 2023 and more than one and a half years has passed since such information was submitted before the concerned police station.

Police authorities would also, if required, keep strict vigil and ensure that no breach of peace takes place at the locale.

Report submitted by the Inspector-in-charge, Kultoli Police Station is kept with the records.

Copy of the report be handed over to the learned advocate for the petitioners.

With the above observations, WPA 18174 of 2023 is disposed of.

There shall be no order as to costs.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Tirthankar Ghosh, J.)

