

07.11.2024
Sl. No. 111
Ct. No. 35
Srimanta

WPA/25212/2024

Rahamat Ali Mondal
-Vs.-
The State of West Bengal & Ors.

Mr. Subrata Bhattacharjya
...for the petitioner.
Ms. Jhuma Chakraborty,
Mr. Suddhadev Adak
...for the State.

Affidavit-of-service filed in Court today be kept
with the record.

The petitioner is aggrieved by the fact that in spite of a criminal case being registered against the private respondents they are adamant in pursuing their illegal activities. The petitioner submits that at the time of his construction illegally the masons were assaulted and he was harassed and abused. To that effect he complained to the Officer-in-Charge, Indus Police Station on 20th September, 2024. The Superintendent of Police was also informed. However, the petitioner is facing the consequences as no action has been taken till date and he is unable to continue with the construction.

In case the petitioner has all the appropriate permissions and it is being obstructed at the behest of the private respondents, then in that case the Police authorities would take appropriate steps so that the

petitioner's right cannot be effected. In case the Police authorities in spite of the communication made to them do not act, the petitioner would be at liberty to approach the jurisdictional Criminal Court under Section 175(3) of the Code of Criminal Procedure. The learned jurisdictional Court would in the circumstances pass necessary directions upon the Police authorities.

It is further directed that the Officer-in-Charge, Indus Police Station would keep strict vigil and no breach of peace and tranquility take place in respect of the construction which involves the petitioner.

With the aforesaid observations, WPA 25212 of 2024 is disposed of.

Report so submitted be kept with the record.

All parties are to act on the server copy of this order duly downloaded from the official website of the Calcutta High Court.

(Tirthankar Ghoh, J.)