

Sl.No.

6

13.11.2024

Court

No. 35

G.S.Das

WPA 26055 of 2024

Yusup Kayal & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Debabrata Sardar

... for the Petitioner

Mr. Lakshminath Bhattacharya

... for the private respondent nos. 5 - 13

Ms. Sonal Sinha

Mr. Saptak Sanyal

... for the State of West Bengal

The petitioners are aggrieved by the fact that the private respondent nos. 5 to 13 are trying to encroach and destroy the properties belonging to them and also misappropriating their properties.

To that effect, the petitioner sent a complaint to the Inspector-in-charge of Kultali P.S.

The records of the case reflect that the petitioners have already filed an application under Section 163(2) of the

BNSS.

So far as the rights in respect of the properties are concerned, the petitioners would be at liberty to approach the jurisdictional civil court.

The petitioners in respect of the accusations so made, if a cognizable offence is made out, will approach the jurisdictional criminal court. The jurisdictional civil court and/or the criminal court will, on an application being filed by the petitioners, consider the same in accordance with law.

The police authorities claim that they have kept a strict vigil. The police authorities are directed to see that no untoward incident takes place and also ensure that no breach of peace and tranquility takes place in the area over the issues complained of.

With the aforesaid observations,
WPA 26055 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 for the
petitioner.

Parties to act on a server copy
of this order duly collected from the
official website of the Hon'ble High Court,
Calcutta.

Urgent Photostat certified copy of
this order, if applied for, be supplied to
the parties, subject to compliance with all
requisite formalities.

(Tirthankar Ghosh, J.)