

07.11.2024
Item No.30
Ct. No.35
dc.

W.P.A. 26299 of 2024

Dilip Kumar Mondal
versus
The State of West Bengal & Ors.

Mr. Prasanta Kumar Pakrashi ... For the Petitioner.

Mr. Suman Sengupta,
Mr. Sanatan Panja ... For the State.

Mrs. Maheswari Sharma,
Mr. Snehasis Chatterjee,
Mrs. Tulika Banerjee
... For the Respondent Nos. 5 & 6.

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

The petitioner is aggrieved by the fact that
the private respondents have forcefully occupied an
area which belongs to him while he was working at
a different place. To that effect, he has lodged a
complaint with the Officer-in-Charge, Kasba Police
Station.

Learned advocate for the State submits that
parties are contesting before the civil court by way
of T.S. 762/2024 as well as Misc. Appeal
195/2024.

As the civil court has been approached, the
concerned jurisdictional court would direct the
police authorities for enforcing its orders and the
police authorities would obey and respect the
orders passed by the civil court.

So far as the issue relating to police
authorities not acting on the representation dated

26.09.2024, the petitioner would approach the jurisdictional criminal court under Section 175(3) or Section 223 of BNSS, 2023. The concerned jurisdictional court would act in accordance with law and thereafter assess whether any direction is required to be passed for further proceeding.

With the aforesaid observations, the writ petition being WPA 26299 of 2024 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 photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)