

2 13.12.2024

No. 35

WPA 28521 of 2024

-Vs-

The State of West Bengal & Ors.

Ms. R. Dey

... for the petitioner(s)

Ms. Munmun Tewary

... for the State-respondent(s)

Affidavit-of-service so filed be kept
with the record.

The petitioner submits that in spite of enjoying a Civil Court's decree, he is being restrained from constructing his boundary wall at the behest of the private respondent nos. 7 to 10.

The incident has been brought to the notice of the Officer-in-charge of the concerned police station and, there are specific accusations that the private respondents are threatening, abusing and

intimidating the petitioner.

Learned advocate for the State has submitted a report, which reflects that the police authorities have in the month of October, 2024 drawn up a proceeding under Section 126 of the BNSS against the private respondents.

Having considered the plight expressed by the petitioner, particularly, with regard to the act and actions of the private respondents, I direct that, in case, the private respondents are involved in any overt act, the police authorities would ensure that there no breach of peace and tranquility takes place at the locale as also no untoward incident results because of the inimical relationship existing between the parties.

However, the petitioner would be at liberty to approach the jurisdictional criminal court in respect of the complaint

which has been lodged with the Officer-in-charge of Sagar Police Station on 27.09.2024 and there has been no action on behalf of the police authorities. The learned Magistrate would assess regarding the accusations as to whether any cognizable and/or non-cognizable offence has been made out, thereafter, pass direction(s) in accordance with law.

With the aforesaid observations, WPA 28521 of 2024 is disposed of.

Report so submitted be kept with the record. Let 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.

(Tirthankar Ghosh, J.)