

17.12.2024
Sl. No.34(DL)
srm

W.P.A. No. 28839 of 2024
Aktarul Hoque & Anr.
Versus
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee,
Mr. Arup Kumar Bhowmick
...for the Petitioners.

Mr. Suman Sengupta,
Mr. Sanatan Panja
...for the State-respondents.

Md. Wasim Akram
...for the Private Respondents.

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

Petitioners have already approached the learned jurisdictional court under Section 175(3) of the BNSS.

Learned Advocate appearing for the State has submitted a report. Report reflects that the English Bazar Police Station Case No.1462/2024 dated 10.10.2024 has been registered for investigation.

Learned Advocate appearing for the petitioners submits that they are unable to enter the premises and/or carrying their trade of profession because of the shop room is being closed.

Learned Advocate appearing for the private respondents submits that for cancellation of deed already a suit is pending before the jurisdiction court.

Having considered that primary purpose for police inaction has been sub-served as English Bazar police station has already registered a case, I direct that, so far as the other issues are concerned, the petitioner will approach the jurisdictional civil court for remedies.

With the aforesaid observations, writ petition being WPA 28839 of 2024 is disposed of.

There shall be no order as to costs.

Report so submitted by the State be kept with the record.

As the State and the private respondents have not been called to use any affidavits, the accusations made in the writ petition are deemed not to have been admitted.

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.)