

**13.12.2024**  
Item No.12  
Ct. No.35  
dc.

**W.P.A. 29304 of 2024**

**Samsuzzaman Sk  
versus  
The State of West Bengal & Ors.**

Mr. Kallol Kumar Basu,  
Md. Jannat Ul Firdous ... For the Petitioner.

Mr. Vimal Kumar Shahi, AGP,  
Mrs. Pratiti Das ... For the State.

Report submitted by the learned advocate  
appearing for the State be kept with the record.

The petitioner contends that in spite of  
direction passed in WPA 19577 of 2024 on  
25.09.2024, the construction work is being carried  
out and when the petitioner reacted and opposed  
the same, the private respondents threatened the  
petitioner that if he informs the Officer-in-Charge,  
then in that case the Officer-in-Charge will tag the  
petitioner in a false case. To that effect information  
was lodged with the superior authority.

I do not find any involvement or violation of  
the order to that extent of the earlier order passed  
by this Court at the behest of the police authorities.  
It is clarified that so far as the construction work is  
concerned, the civil court will pass necessary  
orders.

However, so far as law and order is  
concerned, it is for the police authorities to take  
steps so far as the issue is concerned.

On 05.12.2024, proceedings under Section 126 of BNSS have been drawn by the police authorities. If the said proceedings have been submitted before the learned Executive Magistrate therein, the learned Executive Magistrate is directed to assess regarding the authenticity of the accusations and while accepting the bond, in that case if he finds that there is violation of law and order, he would direct the private respondents to stay outside the jurisdiction of Burwan Police Station, Murshidabad.

With the aforesaid observations, the writ petition being WPA 29304 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.)**