

Item No.77
23.12.2024
Court. No. 35
GB

WPA 29865 of 2024

Matiur Rahaman Sekh
VS
The State of West Bengal & Ors.

Mr. Aniruddha Tewari

...for the Petitioner.

*Mr. Asish Kumar Guha,
Mr. Benazir Ahmed*

...for the State.

*Mr. Partha Pratrim Roy,
Mr. Sarbananda Sanyal,
Ms. Poulomi Chakraborty*

...for the Respondent No.6.

Affidavit-of-service filed on behalf of the petitioner is kept with the record.

Petitioner and the private respondent both claim to be owner of the property but in different proportions.

Learned advocate for the petitioner submits that because of the overt act of the private respondent, he is unable to enjoy the property.

On the other hand, learned advocate for the private respondent submits that the petitioner has been trying to exceed the boundaries of his property and, as such, intends to fence the property. The property is not partitioned.

There were certain incidents as reflected from the report submitted by the State. As such, a proceeding under Section 126 BNSS has been drawn up by the police authorities for maintaining public peace and tranquillity in the area.

Considering that the police authorities have already drawn up proceedings under Section 126 of the BNSS, police

authorities would keep a vigil in the area so that no further untoward incident takes place.

With the aforesaid observations, WPA No.29865 of 2024 is disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocates for the petitioner and the private respondent.

Parties are directed to act on the basis of the server copy of this order.

(Tirthankar Ghosh, J.)