

24.01.2025
Item Nos. 93
AN/Ct. No. 35

WPA 493 of 2025

Tafikul Sheikh
vs.
State of West Bengal & ors.

Mr. Sanjib Seth

... for the petitioner

Mr. Ali Ahsan Alamgir
Mr. Sk. Uj Jaman
Mr. Asif Iqbal
Ms. Soma Mal
Ms. Rabia Khatoon
Ms. June Modak

... for respondent no. 5

Mr. Amal Kr. Sen, ld. AGP
Ms. Ashima Das (Sil)

... for the State

Petitioner is aggrieved by inaction of the Police Authorities as inspite of informing the Police Authorities regarding the private respondents disturbing the peaceful enjoyment of the property of the petitioner, they have been continuing with their illegal activities and information to the Police Authorities, till date did not yield any result.

Learned counsel representing the State has submitted the report. The report reflects that the Police Authorities after recording the General Diary Entry No. 992 dated 17.12.2024, conducted an enquiry and drew a proceeding under Section 107 of the Criminal Procedure Code against both the parties.

Learned counsel appearing for the private respondent disputes the contentions so far as the claim of the petitioner regarding the right of the property is concerned. Be that as it may, since the Police Authorities have drawn up a proceeding under Section 107 of the Criminal Procedure Code, some incident might have happened which led the Police Authorities to take steps.

Accordingly, if the petitioner is aggrieved by the inaction of the Police Authorities, the petitioner would approach the Jurisdictional Civil &/or the Criminal Court by involving the relevant provisions of law. The concerned Court would appreciate the factual circumstances and thereafter pass necessary orders. In the meantime, the Police Authorities would ensure that there is no breach of peace or tranquility at the locale and that no untoward incident results because of the inimical relationship between the petitioner and the private respondents.

With the above observations, WPA 493 of 2025 is **disposed of**. The report so submitted be kept with the record.

Urgent photostat certified server copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Tirthankar Ghosh, J.)