

07.07.2025
Item No.1139
Ct. No.35
dc.

W.P.A. 613 of 2025

**Soumen Naiya
versus
The State of West Bengal & Ors.**

Mr. Tarunjyoti Tewari,
Mr. Bikramjit Dutta,
Ms. Kausiki Bose ... For the Petitioner.

Mr. Rameshwar Sinha ... For the State.

Petitioner is aggrieved by the fact that in spite of representation made for illegally encroaching the land of the petitioner and constructing the road at the behest of the Panchayat authorities, the police authorities were not acted upon. Petitioner submits that consequently the police authorities registered a case. However, so far as the overt acts of the Panchayat authorities are concerned, no steps have been taken.

Be that as it may, it has been submitted on behalf of the State that there are case and counter-case. First case being Joynagar P.S. Case No. 392 of 2024 dated 18.05.2024 was initiated against the petitioner and another case being Joynagar P.S. Case No. 539 of 2024 dated 05.07.2024 was registered pursuant to the information furnished by the petitioner. Learned advocate for the State submits that in both the cases, investigating agency on conclusion of investigation has submitted charge-sheet.

Having considered that the police authorities have registered cases and concluded the investigation, I direct that in case the petitioner is aggrieved by the investigation or any omission on the part of the investigating agency, petitioner would be at liberty to take out appropriate application before the jurisdictional Magistrate in seisin of the issue.

Learned Magistrate would, in case such an application is filed, dispose of the same within a period of sixty days from the date of filing of such application.

With the aforesaid observations, the writ petition being WPA 613 of 2025 is disposed of.

There will 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.)