

D/L 39
21.01.2025
Kausik
ct.no.35

W.P.A. 957 of 2025

**Mousumi Saha & Anr.
Versus
State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Rameshwar Sinha
Ms. Debanjana Sen

...for the petitioner.

Mr. Asish Kumar Guha
Mr. Benazir Ahmed

...for the state.

Affidavit of service so filed be kept with the record.

Petitioner has informed different administrative authorities including the Officer-in-Charge of Englishbazar Police Station as well as the Baishnabnagar Police Station regarding the hindrances and/or obstruction faced by him in respect of construction of boundary wall.

A report has been submitted by the state which reflects that an enquiry was conducted pursuant to the proceedings under section 147 Cr.P.C. when it was found that in respect of shifting of a toilet room, a long pending dispute is existing between the petitioner and the private respondents.

Pursuant to the informations furnished by the petitioner no. 2, a case being Baishnabnagar PS

Case No. 927/2023 dated 25.12.2023 was registered for investigation under the relevant provisions of law.

Having regard to the issue so involved, I direct that in respect of any construction/demarcation/ownership/title / right/ interest /possession/occupation, the same must be established before the civil court and necessary directions be passed by the civil court.

Police authorities would ensure that neither the petitioner nor the respondent should be dispossessed without due process of law.

Police authorities would keep a strict vigil and ensure that no breach of the peace or any untoward incident results because of the strained relationship between the petitioner and the private respondents.

With the aforesaid observations WPA 957 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)