

20.01.2025
Item No.51
Ct. No.35
dc.

W.P.A. 1073 of 2025

**Sri Kakan Saha & Ors.
versus
State of West Bengal & Ors.**

Ms. Shalini Singh,
Mr. S. Chatterjee ... For the Petitioners.

Mr. Joydip Banerjee,
Ms. Rupsha Chakraborty ... For the State.

Mr. Tapash K. Bhattacharya,
Mr. Aviroop Bhattacharya,
Ms. Sahina Mollah
... For the Respondent Nos.5 to 8.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.
A copy of the report be handed over to the learned
advocates appearing for the petitioners and the
private respondents.

The petitioners are aggrieved by the fact that
in spite of informing the police authorities, no steps
have been taken and the petitioners are feeling
insecure.

State has submitted a report which reflects
that proceedings under Sections 126/135(3) of
BNSS have been drawn up by the police authorities
against the private respondents. I have considered
the nature of the subject-matter which is addressed
in the writ petition and is of the view that primarily
there is dispute between the petitioners and the
private respondents relating to property. Having

considered the same, I am of the view that the petitioners would be better advised to approach the jurisdictional civil court for appropriate remedies.

In the meantime, the police authorities would keep a strict vigil and ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the petitioners and the private respondents.

With the aforesaid observations, the writ petition being WPA 1073 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.)