

29.01.2025
Item Nos. 96
AN/Ct. No. 35

WPA 1606 of 2025

Mahadev Samanta
vs.
State of West Bengal & ors.

Mr. Lakhsmiratan Bhattacharyya
Mr. Rajib Kumar Acharyya
Mr. Goutam Malik

... for the petitioner

Mr. Swapan Banerjee, ld. AGP
Mr. Soumen Chatterjee

... for the State

Petitioner is aggrieved of the fact that he intends to renovate his dilapidated building which is being resisted at behest of the private respondents although the property belongs to him. The private respondents are resisting him in an illegal manner and even after informing the Police Authorities, no assistance has been rendered by them, as such the petitioner is before this Court.

Learned counsel representing the State submits a report prepared by the Inspector-in-Charge, Tamluk Police Station which reflects that the plot of land where the petitioner is trying to construct the property is an undemarcated land, according to the enquiry conducted by the concerned Officer.

The petitioner in order to rebut such contention claims title over the property. Be that as it may, this Court is not inclined to interfere with in respect of the right, title,

interest and possession of any property which is exclusive domain of the civil court. The Police Authorities in view of the existing dispute between the petitioner and the private respondents have already drawn up proceedings under Section 126 of BNSS. It is directed that 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 existing between the petitioner and the private respondents

With the above observations, the instant writ petition being WPA 1606 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.)