

05.02.2025

Item No.61

Ct. No.35

dc.

W.P.A. 1893 of 2025

**Md. Aslam
versus
The State of West Bengal & Ors.**

Mr. Dipayan Kundu,
Mr. Binay Shaw ... For the Petitioner.

Ms. Sabnam De Bardhan,
Ms. Kakali Naskar ... For the State.

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 advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that he is being assaulted and threatened of dire consequences and also threatened for withdrawing the cases which have been instituted at his behest. In spite of informing the police authorities, no steps have been taken by the police authorities.

State has submitted a report which reflects that numbers of civil and criminal cases are pending between the parties.

Petitioner presently submits that he is unable to enter his residence.

Having regard to the fact that the civil court is already in seisin of the matter regarding the disputes and the police authorities have already been vigilant and as such have registered a case

lastly in the month of December, 2024, I find that if there is any grievance of the petitioner, the jurisdictional civil and criminal courts have enough powers to deal with the same. So far as the petitioner's accusation that he is not allowed to enter his property is concerned, since the civil court is already in seisin of the matter, it would be the civil court which would enforce its own order by exercising the relevant provisions of law.

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 petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 1893 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.)