

Sl.No.

902

14.08.2025

Court
No. 35

G.S.Das

WPA 1894 of 2025

Tanuja Bewa & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Satadru Lahiri
Mr. Nirmalendu Bera
Mr. Gora Chand Samanta

... for the Private Respondent(s)

Mr. Somnath Ganguli, Sr. Adv.
Ms. Sangeeta Roy

... for the State-Respondent(s)

State has submitted a report which reflects that a civil suit being TS 53 of 2002 and a title execution being T.Ex. 07 of 2010 have been filed. There are Misc. Cases as also a proceeding before the LRTT. The report depicts that an *ex parte* decree was also obtained by the petitioner. The police authorities enquired on or about 17.01.2025 and found that there was a dispute which was civil in nature. Consequent to which, the police authorities restrained themselves from exercising their powers.

Learned advocate for the private

respondent(s) has handed over Photostat copies of two separate civil suits being TS 30 of 2025 and TS 31 of 2025 which are pending before the learned Civil Judge (Jr. Divn.), Kakdwip.

The police authorities at the relevant point of time have drawn up a proceeding under Section 126 of the BNSS.

Having considered that the grievance of the petitioner was relating to inaction of the police authorities *particularly* the Inspector-in-charge of Dholahat Police Station and as the subject-matter involved is also presently being adjudicated by the civil court, I am of the view that until and unless specific directions are received from the civil court, the police authorities will not be in a position to exercise their powers. Consequently, the police authorities would only restrict themselves to the extent that there is no violation of law

and order.

In case, there are situations where the police authorities feel that situation may blow out of proportion, they would ensure that no breach of the peace and/or tranquility takes place.

With the aforesaid observations, WPA 1894 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Photostat copies of TS 30 of 2025 and TS 31 of 2025 be kept with the record.

Report submitted by the State be also kept with the record. Copies of the report be handed over to both the parties.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

