

15.07.2025
Item No.769
Ct. No.35
dc.

W.P.A. 2025 of 2024

**Mohiuddin Sekh
versus
The State of West Bengal & Ors.**

Mr. Wasim Ahmed,
Sk. Md. Masud ... For the State.

Mr. Manas Kumar Das ... For the Respondent No.5

The representation dated 11.01.2024 addressed to the Officer-in-Charge, Diamond Harbour Police Station reflects that the dispute is between two brothers wherein the accusation is to the extent that the police authorities should take steps so that the installation of tower of service provider is stopped at the behest of the police authorities.

None appears for the petitioner. However, learned advocates for the State and the private respondent no.5 are present.

Having regard to the nature of the accusations so made, I am of the view that it is the duty of the municipal authorities to assess whether a tower can be installed or not. Police authorities can only act, if the municipal authorities direct the police authorities. Having regard to the nature of the dispute and the period which has lapsed in the meantime, I am of the view that at this stage it is not possible for the Court to adjudicate the issues canvassed in the writ petition. If the petitioner faces similar inconveniences, he will report to the police

authorities and the police authorities would act in accordance with law.

With the aforesaid observations, the writ petition being WPA 2025 of 2024 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.)