

D/L 20
17.02.2025
Bpg.
ct.no.35

W.P.A.2591 of 2025

**Monoranjan Bor
Versus
The State of West Bengal & Ors.**

Mr. Partha Sarathi Mondal.
...for the petitioner.

Mr. Suman Ghosh
Mr. Siddhartha Ghosh.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that the private respondent no.6 is trying to encroach upon his property and is unnecessarily interfering with the peaceful enjoyment which the petitioner had been carrying on throughout his life. Petitioner has also approached the learned Executive Magistrate. However, in spite of the learned Executive Magistrate having passed directions and the police authorities being informed, no steps have been taken by the police authorities.

Report has been submitted by the State which reflects that on the basis of the information furnished by the respondent no.6, a case has been registered being Kulpi P.S. Case No.414 of 2022 dated 29.10.2022.

So far as the dispute relating to property is concerned, police authorities have kept a vigil so that there is no breach of any peace and tranquility and already proceedings under Section 107 of Cr.P.C has been drawn up by the police authorities.

In view of the dispute which according to the State is iner se the family members, the police authorities without an appropriate order from the civil court will not be able to take any action so far as the spirit of the prayer of the petitioner is concerned. Since the police authorities have been keeping a strict vigil, they would continue to keep their surveillance 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 parties.

With the aforesaid observations, WPA 2591 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to learned advocate for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)