

Sl.No. 30 10.02.2025
Court No. 35
G.S.Das

WPA 2482 of 2025

Dr. Sisir Ray
-Vs-
The State of West Bengal & Ors.

Mr. Arunangshu Chakraborty
Mr. Dhiman Kumar Sengupta
Mr. F. Mustaque
Mr. Arijit Bera
Mr. Zeba Rashid
Ms. Shaika Amin
... for the petitioner(s)
Mr. Amal Kr. Sen, Id. AGP
Mr. Lal Mohan Basu
... for the State-respondent(s)
Mr. Om Narayan Rai, Id. Sr. Adv.
Mr. P. Agarwal
... for private respondent no.5

The petitioner has approached this Court claiming that a government lease hold property was allotted to the petitioner for establishing IT industry.

It is submitted that the petitioner intends to raise a construction at the allotted land and is being obstructed by the respondent nos. 4 and 5. An information, to that effect, was furnished to the police station. However, the police authorities did not take any action.

A report has been submitted on behalf of the State, which reflects that, earlier, a development agreement was entered into by and between the petitioner and the respondent no.4 on or about 6.11.2013. But, there were accusations that with *mala fide* intention the respondent no.4, although having the sanction building plan, failed to start the construction even after lapse of two years and did not act within the time frame so decided in the agreement. There were also accusations that taking the advantage of age of the present petitioner, there was an intention to deceive the present petitioner.

Accordingly, a case being Electronic Complex Case No. 221 of 2021 dated 26.09.2021 was registered for investigation.

However, after the investigation was completed, Final Report was submitted holding the same to be civil in nature. There is no reflection in the report

as to whether the said criminal case was pursued at the behest of the present petitioner.

The report reflects that, presently, an information was received by the police authorities on or about 03.12.2024, pursuant to which an enquiry was conducted by the Sub-Inspector of Police, wherefrom, it reflects that security guards of the petitioner as well as that of the respondent no.4 are present. Report also reflects that, presently, no construction is in progress there.

The petitioner has approached this court being aggrieved by the information furnished with the Officer-in-charge of Electronics Complex Police Station wherein it was alleged that the respondent no.4 and their agents were illegally interfering with the construction of the building for the last three years and the miscreants, who had been to the plot, prevented such construction and claimed to be the

associates of the respondent nos. 4 and 5.

Having considered the representation so made by the petitioner and the submissions advanced by the respondent nos. 4 and 5 that they have also entered into an agreement and have invested for the construction, I am of the view that this Court cannot enter into the domain of any agreement which has been entered into by and between the parties.

So far as the police report is concerned, the police have, as is reflected in the report, already taken all possible steps for preventing any breach of peace and tranquility and, to that effect, have drawn up a proceeding under Section 126 of the BNSS. The report also reflects that the present situation is peaceful.

However, having regard to the fact that the police authorities have been keeping a sharp vigil at the area, I direct

that surveillance be kept by the police authorities in case there is any possibility of any untoward incident because of the strained relationship existing between the parties. The police authorities would also take appropriate and/or effective step(s) to prevent any breach of peace and tranquility in the area which may take place because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 2482 of 2025 is disposed of.

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

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocate of 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.)

