

D/L 17
17.02.2025
Bpg.
ct.no.35

W.P.A.2563 of 2025

**Sri Mritunjay Ray
Versus
The State of West Bengal & Ors.**

Mr. Dipankar Saha
Mr. Pritam Choudhury
Mr. Subham Kr. Das.
...for the petitioner.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy.
...for the State-respondents.

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

Petitioner claims that the private
respondents by impersonating them are
unnecessarily interfering with the peaceful enjoyment
of the property of the petitioner. To that effect,
information has been furnished. It has also been
contended that on being resisted, petitioner has been
subjected to abuse.

Report has been submitted by the State. The
report reflects that before the learned Executive
Magistrate in their proceedings under Sections
163/126/135(3) of BNS, the learned Executive
Magistrate has directed for enquiry and after
completion of enquiry report has already been
furnished before the concerned Executive Magistrate.

On an assessment of the grievance of the petitioner, I am of the opinion that the main anxiety of the petitioner relate to interference, disturbance and obstruction with the peaceful enjoyment of the property at the behest of the private respondents.

In view of the Executive Magistrate already in seisin of the matter and the police authorities having drawn up proceedings apart from the petitioner having filed the proceedings, I direct that the police authorities would oversee that the private respondents are not interfering and/or disturbing the petitioner. In case there is any civil dispute the parties are to decide and/or be subject to adjudication before the civil court.

So far as the present lis is concerned, I am of the view that the police authorities would ensure that no breach of the peace and/or tranquility takes place because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 2563 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 the learned advocate appearing 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.)