

Sl.No. 25.02.2025
150
Court
No. 35
G.S.Das

WPA 2768 of 2025

Pratip Dalui -Vs- The State of West Bengal & Ors.

Mr. Sajal Kanti Bhattacharyya
Mr. Sandip Das
... for the Petitioner(s)

Mr. Suman Ghosh
Mr. Siddhartha Ghosh
... for the State - respondent(s)
Mr. Tanmay Basu
Mr. S. Halder
... for the private respondent(s)

The petitioner is aggrieved by the fact that in spite of informing the police authorities against the private respondents who are interfering with the petitioner's peaceful possession, abusing him and are attempting to dispossess him in spite of the orders passed by the learned civil court, the police authorities till date refused to take any action.

Learned advocate for the State has submitted a report and, according to the learned advocate for the State, in

respect of the title suit filed by the petitioner, there has been a decree which has been passed in his favour.

So far as the private respondents are concerned, their title suit has been dismissed and whenever the police authorities have been informed, the police authorities have taken steps. Consequently, a proceeding has been drawn up under Section 126 of the BNSS against the private respondents as also all efforts have been taken by the police authorities for maintaining peace and tranquility.

Learned advocate for the private respondent nos. 4 to 6 submits that an appeal has been preferred in respect of the suit which has been dismissed and is pending before the appropriate appellate forum. There has been no intention on the part of the private respondents to dispossess the present petitioner and the present application has been preferred in order to create pressure upon the police

authorities to take action which they are not entitled to interfere in respect of the civil dispute.

I have considered the submissions of the petitioner, State as well as the private respondents and having regard to the fact that the civil courts are already *in seisin* of the disputes, the police authorities will only restrict themselves to the issues relating to maintaining peace and tranquility, as such, they would keep a strict vigil and ensure that no breach of the peace and tranquility takes place as also no untoward incident results because of the strained relationship existing between parties.

With the aforesaid observations, WPA 2768 of 2025 is disposed of.

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

Report so submitted be 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.)