

D/L 51
17.02.2025
Kausik
ct.no.35

W.P.A. 2849 of 2025

**Alamin Sk.
Versus
The State of West Bengal & Ors.**

Mr. Sajal Kr. Pandit
Mr. Mahim Sasmal

...for the petitioner.

Mr. Pinaki Dhole
Mr. Rabindra Kumar Pathak
Ms. Srijita Noe

...for the respondent nos. 6 to 11 & 13.

Mr. K.J. Yusuf, AGP
Mr. Saurav Chaudhuri

...for the state.

Petitioner is directed to strike down the prayer 'a' in the writ petition.

Learned advocate appearing for the petitioner is anxious regarding the disturbance and the attempt to dispossess the petitioner from his property at the behest of the private respondents. To that effect, petitioner approached the learned Executive Magistrate.

Learned advocate for the respondent nos. 6 to 11 & 13 submits that the petitioners have distorted facts. There is no issue relating to disturbance and/or encroaching upon the property.

Both the parties claim to be in possession of the property. However the right, title, interest and occupation in relation to a property is to be decided by the civil court and this court will not enter into the said arena.

Learned advocate for the State has submitted a report. Report reflects that appropriate proceedings have been drawn up under section 126 of the BNSS.

Having considered that the petitioner and the private respondents are at loggerhead, police authorities would only ensure that there is no breach of the peace and/or tranquility and/or any other untoward incident resulting from the strained relationship existing between the parties.

With the aforesaid observations WPA 2849 of 2025 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)