20.02.2025
Court No. 35

Item No.80
Rakib

W.P.A. 3058 of 2025

M/s. S.K. Nath & Co. & Ors.
VS
The State of West Bengal & Ors.

Ms. Salma S. Shah,
Mr. S. Hossain.
... for the Petitioners.
Mr. Suman Ghosh,
Mr. Sankha Prasad Roy.
... for the State.

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

Petitioner is aggrieved by the fact that some miscreants trespassed into the property of the petitioner which happens to be a retail outlet of Bharat Petroleum Corporation Limited situated within the jurisdiction of Malda Police Station, district Malda. The said miscreants created ruckus and stole away certain articles.

To that effect Malda PS Case no. 727/2024 dated 16.10.2024 has been registered for investigation under the relevant provisions of the BNS. Petitioners presently expect that police authorities would assist the petitioners for fencing and construction of gate.

Police authorities have no business for demarcation of property or fencing of the properties concerned. However, if the petitioner intends to do the same petitioner would apply to the marketing company being the Bharat Petroleum Corporation Limited, Bharat Petroleum Corporation Limited through its officer would

apply to the Officer-in-Charge of the police station concerned if police picket is required or police assistance is required. Under those circumstances police authorities would after seeking permission from the superior officers take steps in accordance with law.

With the aforesaid observations WPA 3058 of 2025 is disposed of.

Report submitted by the State be kept with the record.

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

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

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

(Tirthankar Ghosh, J.)