

20.02.2025
Item No.83
Ct. No.35
dc.

W.P.A. 3069 of 2025

**Jahangir Alam
versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay ... For the Petitioner.

Mr. Wasim Ahmed,
Mr. Sk. Md. Masud ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that the Executive Magistrate passed a direction on or about 22.01.2025 wherein the Inspector-in-Charge/Officer-in-Charge, Chanchal Police Station was directed to cause local enquiry and submit report on the likelihood of breach of public peace and tranquility over the land and further restrained the opposite parties to enter into the suit plot till further order.

Learned advocate appearing for the petitioner submits that on the basis of such order, the police authorities have stopped construction of the petitioner.

Mr. Ahmed, learned advocate appearing for the State has drawn the attention of the Court to the enquiry report which has been submitted before

the learned Executive Magistrate. However, the said report do not reflect in respect of any construction work being done at the concerned place which is again stopped at the behest of the police authorities.

Since the petitioner complains that the genesis of whole of the issue is the order of the learned Executive Magistrate, I am of the opinion that so far as the order of the Executive Magistrate is concerned, there is an alternate and efficacious remedy available.

The petitioner would be at liberty to invoke the statutory remedies permitted against an order passed by the learned Executive Magistrate.

So far as the issue relating to the order of the learned Executive Magistrate is concerned, this Court directs the police authorities to keep a strict vigil and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondent.

With the aforesaid observations, the writ petition being WPA 3069 of 2025 is disposed of.

There will be no order as to costs.

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.)