

D/L 17
21.02.2025
Bpg.
ct.no.35

W.P.A.3169 of 2025

**Buddhadeb Das
Versus
The State of West Bengal & Ors.**

Mr. Sanjib K. Mukhopadhyay
Mr. T.K. Biswas
Ms. Nargish Parveen
Ms. Pratima Ray.
...for the petitioner.

Mr. Suman Ghosh
Ms. Sumita Shaw
Mr. Soumen Chatterjee.
...for the State-respondents.

Mr. Anirban Mitra
Mr. Amit Halder
Mr. Amit Roy.
...for the respondent no.5.

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

Petitioner is physically challenged and disturbances and obstruction are created by the private respondent no.5 for cultivation of land. To that effect, several representations have been made to the police authorities, but the police authorities did not respond to the same and, as such, petitioner being physically challenged is also financially challenged.

State has submitted a report. Report reflects that as and when information has been furnished, police authorities have taken steps and lastly

proceedings have been drawn up under Sections 126/135(3) of BNSS.

Mr. Mitra, learned advocate appearing on behalf of the respondent no.5 submits that already he has approached the civil court. It is further pointed out by the learned advocate for the respondent no.5 that the petitioner approached the Executive Magistrate which proceedings were subsequently dropped.

Petitioner is physically challenged as claimed by the learned advocate and is also suffering from financial stringencies because of being unable to cultivate the land. In case the petitioner approaches the civil court, the learned civil court will exercise its discretion in accordance with law and if after subjective satisfaction any direction for rendering police assistance is passed, the police authorities then would respect, obey and implement the order.

With the aforesaid observations, WPA 3169 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copies of the report be handed over to the learned advocate appearing for the parties.

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.)