

D/L 20
21.02.2025
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ct.no.35

W.P.A.3176 of 2025

**Ombar Laskar
Versus
The State of West Bengal & Ors.**

Ms. Priyanka Tibrewal
Mr. Sabyasachi Chatterjee
Mr. Rameshwar Sinha.
...for the petitioner.

Mr. Ansar Mandal
Mr. Tanweer J. Mandal.
...for the State-respondents.

Mr. Gobinda Chandra Baidya
Mr. Provash Mondal.
...for the private respondents.

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

Petitioner is aggrieved by the fact that he has
been resisted by the villagers from entering his
residence after a dispute arose in respect of a
construction of shop. It has also been alleged that the
private respondents are imposing fine and are
adamant in flexing their muscles which is being
encouraged by the local administration.

State has submitted a report. Report reflects
that there was an issue relating to construction as
some concrete pillars were found on the canal but
presently no construction work is proceeding. Police

report also encloses a communication made to the Sub-Divisional Officer signed by several individuals.

Learned advocate for the private respondents submits that the construction was going on a canal land, as such, the villagers resisted the same and the petitioner intended to pursue with the construction and, as such, there was a dispute and difference which may have been blown out of proportion and, as such, representation was made to the administration, consequent to which the petitioner has approached this Court on false and frivolous grounds.

I have considered the submissions of the learned advocate appearing for the petitioner, learned advocate for the State as well as that of the private respondents. On an assessment of the same, I direct that if the petitioner intends to enter his residence, the Inspector-in-Charge, Basanti Police Station would depute a police officer who would ensure that the petitioner can smoothly enter his home. Every alternate day, the police officer concerned would inspect and assess whether the petitioner has been subjected to any harassment and in case any untoward situation arises, the concerned police officer would report to the Inspector-in-Charge who would ascertain as to whether any cognizable offence is made out and take steps in accordance with law.

So far as the issue relating to construction is concerned, this Court will not interfere with the same. It would be for the concerned administrative authority to take decision on those issues.

With the aforesaid observations, WPA 3176 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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

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.)