

D/L 164
25.02.2025
Bpg.
ct.no.35

W.P.A.3432 of 2025

**Pinaki Jana & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Arunava Pati
Mr. Arup Kundu.
...for the petitioners.

Mr. Asish Kumar Guha
Mr. Benazir Ahmed.
...for the State-respondents.

Mr. Kapil Chandra Sahoo
Ms. Poulami Dutta.
...for the private respondent nos.4
to 12 and 14.

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

Petitioners are aggrieved by the fact that they
have been obstructed by the private respondents from
cultivation of their land and also while harvesting the
crops. To that effect, they have informed the police
authorities and also approached the learned
Executive Magistrate, in spite of directions being
passed, no steps have been taken by the police
authorities.

Learned advocate for the State has submitted
a report. Report reflects that earlier petitioners filed a
written complaint pursuant to which Pathar Pratima
Police Station Case No.280 of 2024 was registered for

investigation and on completion of investigation charge-sheet has been submitted. Subsequently on 26.11.2024 a Misc. Case under Section 163(2) of the BNSS was instituted and on enquiry reports were also submitted before the court concerned.

Learned advocate for the private respondents denies and disputes the contentions advanced therein in the writ petition and the prayers advanced by the petitioners.

I have considered the submissions advanced by the learned advocate appearing for the petitioners, State and the private respondents and on assessment of the same, I direct that in case the petitioners are advised to prefer an appropriate application before the civil court for rendering police assistance in respect of execution of the injunction order and the civil court decides to proceed with the same by passing necessary orders, in such case the police authorities would respect, obey and implement the order. However, for the time being, the police authorities would keep a vigil and ensure that no breach of the peace and/or tranquility takes place and/or any other untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 3432 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both 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.)