

26.02.2025
Item No.205
Ct. No.35
dc.

W.P.A. 3610 of 2025

Samir Kumar Ghosh
versus
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,
Mr. Bodhisattya Halder ... For the Petitioner.

Mr. Asish Kumar Guha,
Mr. Benazir Ahmed ... For the State.

Mr. Dinendra Nath Chatterjee,
Mr. Ramkrishna Biswas,
Mr. Subash Chandra Saha,
Mr. Prophulla Pal,
Mr. Santanu Mondal ... For the Respondent Nos.6 to 10.

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
advocates appearing for the petitioner and the
respondent nos. 6 to 10.

The petitioner claims that his property is
being encroached as also misutilised through
antisocial activities. To that effect, representation
has been made to two different authorities
including the police authorities. However, the police
authorities did not take any steps and as such, the
petitioner feels insecured regarding the protection
of the property.

Learned advocate appearing for the private
respondent nos. 6 to 10 submits that there is no
issue relating to encroachment as the property is a

plain land and some local youths are using the same as a play ground.

State has submitted a report which also reflects that the property is vacant and some local boys are using a portion of the land as a play ground. However, there is a dispute between the petitioner and the private respondents which forced the police authorities to draw up proceedings under Section 126 of BNSS for maintaining peace and good behaviour. The police authorities would continue to keep such surveillance and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results at the behest of either of the parties.

With the aforesaid observations, the writ petition being WPA 3610 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.)