

D/L 112
24.02.2025
Bpg.
ct.no.35

W.P.A.3686 of 2025

**Ashok Lal Yadav
Versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay.
...for the petitioner.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee.
...for the State-respondents.

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

Petitioner complains that the petitioner is
being deprived of enjoying his property at the behest
of the private respondents. To that effect, information
was furnished not only to the local police station but
also to the superior officers. It was categorically
alleged that the private respondents were abusing the
petitioner and also threatening the petitioner of dire
consequences including murdering him. In spite of
the same being informed the police authorities
refused to take any steps.

State has submitted a report prepared by the
Inspector-in-Charge, Ratua Police Station. It reflects
that the police authorities have drawn up proceedings
under Section 126 of BNSS on or about 25.01.2025
on receipt of such information.

It has been contended that a long standing dispute is existing between the petitioner and the adjacent neighbours and, as such, whenever dispute and difference arose, police have always tried to maintain peace and tranquility in the area.

Having considered the nature of the dispute, I am of the view that the petitioner would approach the learned jurisdictional Magistrate under the relevant provisions of law. Petitioner will also be at liberty to approach the appropriate authorities for the remedies available. However, police authorities would require an appropriate authority or a court of law to direct them to act in a particular manner. For the time being, the police authorities would continue to keep their surveillance and ensure that no breach of peace and/or tranquility takes place and/or any untoward incident takes place because of the strained relationship.

With the aforesaid observations, WPA 3686 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.)