

03.03.2025

Item No.33

Ct. No.35

dc.

W.P.A. 3871 of 2025

**Md. Ashif Ali Ahmed
versus
The State of West Bengal & Ors.**

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Mujibar Ali Laskar,
Mr. Avik Ghatak,
Mr. Arunava Ganguly ... For the Petitioner.

Mr. Suman Sengupta,
Ms. Amrita Panja Moulick ... For the State.

Mr. Atarup Banerjee,
Mr. Rajdeep Pramanik ... For the Respondent No.7.

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
advocate appearing for the petitioner.

The petitioner complains that in spite of
informing the police authorities on 27.01.2025, no
steps have been taken by the police authorities and
the petitioner is facing obstruction and disturbance
from the private respondents in spite of purchasing
the property from the State Bank of India. The
petitioner has also approached the learned
Executive Magistrate.

State has submitted a report which reflects
that the police authorities on receipt of information
that the respondents are creating hindrance
regarding possession of the said plot, intervened

and accordingly proceedings have been drawn up under Section 126 of BNSS against the respondent nos. 7 and 8.

In view of the police authorities having already taken steps and the proceedings are pending before the learned Sub-Divisional Executive Magistrate, Durgapur, the police authorities would ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondents as the private respondents claim that they still have title over the property.

In case the Executive Magistrate is of the view that there has been unnecessary interference without any authority of law, the Executive Magistrate is granted liberty to impose conditions including the factum of directing the private respondents to stay outside the jurisdiction of Durgapur Police Station.

With the aforesaid observations, the writ petition being WPA 3871 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.)