

M/L 57
03.03.2025
Kausik
ct.no.35

W.P.A. 4070 of 2025

**Dibakar Ghosh & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Kalyan Kumar Panda

...for the petitioners.

Mr. Supriyo Sasmal
Mr. Sourat Nandy

...for the respondent nos. 4 & 5.

Mr. Supriyo Shasmal
Mr. Dilip Kr. Sadhu

...for the private respondent.

Mr. Susovan Sengupta
Mr. Subir Pal

...for the state.

Petitioner is aggrieved by the fact that in spite of informing the Inspector-in-charge, Memari Police Station no steps have been taken and the petitioner has been thrown away from the property where he had been residing.

Report has been submitted by the State which reflects that pursuant to the information received from the present petitioner, Memari PS Case No. 157/2025 dated 24.02.2025 was registered for investigation.

Police authorities have been keeping a strict vigil.

Learned advocate for the respondent nos. 4 and 5 is present and disputes the accusations made in the writ petition.

Learned advocate further submits that the petitioners have distorted facts, so that the police authorities are compelled to take steps, at ground reality, incident of such nature did not happen.

In view of the nature of the accusations made, particularly with regard to the prayer of the petitioner for being reinstated at the premises, police authorities are not authorized to handle such situation without a specific direction from the civil court or an appropriate authority concerned.

In view of the aforesaid, petitioner is directed to approach the civil court. If any specific direction is passed by the concerned court, police authorities would respect and obey such order. In the meantime, police authorities would ensure no breach of the peace or tranquility takes place at the locale and any untoward incident results.

With the aforesaid observations WPA 4070 of 2025 is disposed of.

Report so submitted 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.

(Tirthankar Ghosh, J.)