

16.07.2025
Item No.781
Ct. No.35
dc.

W.P.A. 4817 of 2024

**Ali Hossain Khan
versus
The Inspector-in-Charge,
Narendrapur Police Station & Ors.**

Ms. Neelam Singh ... For the State.

Ms. Monalisa Das ... For the Respondent No.7.

None appears for the petitioner. However, learned advocate for the respondent no.7 is present.

As none appears on behalf of the State, Ms. Neelam Singh, learned advocate, who ordinarily appears for the State, is directed to represent the State. Her appointment may be regularised by the concerned authorities.

The writ petition was preferred for direction upon the police authorities in respect of possession of a particular piece of land within the jurisdiction of Narendrapur Police Station. The accusation as is reflected from the representation was for illegal and forceful dispossession by the police authorities in a residential property based on an order passed by the Executive Magistrate in M.P. Case No. 519 of 2024. The said M.P. Case No. 519 of 2024 was on the basis of false and frivolous accusations being made.

Learned advocate appearing for the private respondent no.7 submits that absolutely a civil dispute has been attempted to be given the cloak of a criminal case.

Since the accusations are against public servants, petitioner would be at liberty to approach the jurisdictional Magistrate under the relevant provisions of Section 175(4) of the BNSS. Learned Magistrate would consider the same in accordance with law and pass necessary directions.

With the aforesaid observations, the writ petition being WPA 4817 of 2024 is disposed of.

Pending connected application, if any, is consequently 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.)