

D/L 20
13.03.2025
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ct.no.35

W.P.A.4765 of 2025

**Shaikh Mohammed Jamil
Versus
State of West Bengal & Ors.**

Mr. Amit Ranjan Pati
Mr. Muhammad Jawwad.
...for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Debopriyo Karan.
...for the State-respondents.

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

Petitioner complains that the private respondents are blocking the egress and ingress of a shop, willfully creating nuisance, stalking and harassing the female employees and also parking the vehicles in such a manner that he is unable to carry out his business effectively. Petitioner informed the local police station, in spite of the same, no steps have been taken.

However, in the representation it is reflected that two cases have been registered by the police station in respect of disturbances created upon the female employees.

Mr. Bandopadhyay, learned Senior Standing Counsel appearing on behalf of the State submits that

there has been a long standing dispute between the petitioner and the private respondents and whenever information have been furnished police authorities have taken appropriate steps. The business rivalry between the petitioner and the private respondents for the purposes of encroaching the common passage has been continuing for a considerable period of time.

Be that as it may, as earlier petitioner's complaint in respect of disturbing the female employees were entertained by the police authorities, I direct that since the petitioner presently has submitted a comprehensive representation to the police authorities and the police authorities did not act upon the same, petitioner would be at liberty to approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate will consider the same and pass necessary orders after exercising his discretion.

Police authorities would oversee that no untoward incident takes place because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 4765 of 2025 is disposed of.

There will be no order as to costs.

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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)