

18.03.2025
Court No. 35
Item No.10
Rakib

W.P.A. 4991 of 2025

Onkar Jana.
VS
The State of West Bengal & Ors.

Mr. Golam Mastafa,
Mr. Tarasankar Samanta.
... for the Petitioner.
Mr. Salil Kumar Maiti,
Ms. Dolan Samanta.
...for respondent nos. 5 to 8.
Mr. Santanu Kr. Mitra, Sr. Govt. Adv.
Mr. Subhabrata Das.

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

Learned advocate appearing for the petitioner is
aggrieved by the fact that the private respondents being
his son and his brother are interfering with his peaceful
enjoyment of his life at the residence. To that effect
informations were sent to the police station, however, no
steps have been taken. It was also represented that the
petitioner was subjected to assault and as such he was
under treatment and being aged he is unable to resist the
private respondents in pursuing their illegal act and
actions of physical and mental torture being inflicted
upon him for the purposes of misappropriating his
property.

Learned advocate appearing for the private
respondent nos. 5 to 8 completely denies the allegations
and submits that the petitioner has been peacefully

residing at his residence and Title Suit is pending between the petitioner and the private respondent no.8.

State has submitted a report. Report reflects that in order to prevent any untoward situation and proceedings under Section 126 of BNSS has been drawn up by the police authorities.

Be that as it may, the police authorities would oversee that in case the petitioner's peaceful life is interfered with and circumstances are created or he is subjected to any physical torture, police authorities would dissuade such untoward inconveniences caused to the petitioner and ensure that no breach of the peace and/or tranquility or any untoward incident resulting because of the inimical relationship.

With the aforesaid observations WPA 4991 of 2025 is disposed of.

Report so 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 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.)