

Sl.No.
191 21.04.2025
Court
No. 35
G.S.Das

WPA 5884 of 2024

Kashinath Barik
-Vs-
The State of West Bengal & Ors.

Mr. Subhasish Pachhal
... for the Petitioner(s)
Mr. Amitava Chaudhuri
Mr. Aviroop Bhattacharya
... for the State-respondent(s)

The petitioner is aggrieved by the fact that the private respondents are forcing him to give his pathway to them for their use. To that effect, dispute and differences arose for which the petitioner's wife was assaulted severely on 23.08.2023. Earlier, also on 13.08.2023, it has been complained that similar incident took place.

An information, to that effect, was furnished by the wife of the present petitioner. On receipt of the information, the police authorities have registered a case being Penro P.S. Case No. 25 of

2024 dated 05.03.2024 under Sections 447/323/325/354/506/34 of the IPC. The investigation of the said case, at the relevant point of time when the report was prepared, was in progress.

The police authorities, thus, have taken steps by way of registration of the FIR.

So far as the issue relating to use of the pathway is concerned, it would be for the learned civil court to decide the same and this court will not enter into the said domain. If the learned civil court passes any direction and/or order, the police authorities would respect, obey and implement the order so passed.

In the meantime, the police authorities would continue a strict vigil and ensure that no breach of the peace and/or tranquility takes place as also no untoward incident results because of the strained relationship existing between the

parties.

With the aforesaid observations,
WPA 5884 of 2024 is disposed of.

Pending application(s), if any, is
also disposed of.

Report so submitted be kept with
the record. Copy of the report be handed
over to learned advocate for the petitioner.

Parties to act on a server copy of this
order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

