

D/L 13
25.03.2025
Kausik
ct.no.35

W.P.A. 5584 of 2025

**Raisul Haque Kayal
Versus
State of West Bengal & Ors.**

Mr. Debasis Sur
Mr. Hare Krishna Halder

...for the petitioner.

Mr. Shamik Bagchi
Mr. Noor Islam Seikh

...for the private respondent nos. 5 to 8.

Mr. Tanay Chakraborty
Mr. Suddhadev Adak

...for the state.

Petitioner alleged that in spite of a permanent injunction order being passed by the civil court, the respondents are violating and flouting the said order and raising construction by chopping down the trees of the petitioner.

Learned advocate for the private respondents are present and disputes such contention. According to the private respondents they also approached this court in WPA 29074 of 2024 and the said writ petition is still pending.

State has submitted a report. Report reflects that a long standing dispute is pending

between the parties and number of cases, both civil and criminal have been registered.

In view of the recent set of events pursuant to the information furnished on 18.11.2024, I direct that the petitioner would approach the jurisdictional court. If the petitioner is so advised, an application under the relevant provision be filed before the jurisdictional Magistrate. Learned Magistrate will consider whether a cognizable offence is made out, ascertain whether a case for investigation has been made out and thereafter pass necessary orders in accordance with law.

In the meantime, police authorities would continue to keep their surveillance and ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 5584 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)