

D/L 44  
25.03.2025  
Kausik  
ct.no.35

**W.P.A. 5770 of 2025**

**Jaba Chowdhury & Ors.  
Versus  
The State of West Bengal & Ors.**

Mr. Biswajit Hazra  
Mr. Sk. Nadeem Ahmed

...for the petitioners.

Mr. Dilip Kumar Samanta  
Mr. Debapriya Samanta  
Mr. S. Palit

...for the respondent nos. 6 to 9.

Mr. Suman Sengupta  
Mrs. Amrita Panja Moulick

...for the state.

Affidavit of service filed be kept with the  
record.

Petitioner is aggrieved by the fact that the  
private respondents have assaulted the petitioners  
on the issue relating to a pathway which the  
petitioners claim to be their land and the private  
respondents have been resisting the same.

Learned advocate appearing for the private  
respondent nos. 6 to 9 submits that the land which  
is claimed to be a pathway is being attempted to be  
forcefully occupied by invoking the jurisdiction of the  
police authorities. The dispute is wholly civil in  
nature and unnecessarily police authorities are

being brought in to create pressure upon the private respondents which is not permissible in law.

Mr. Sengupta, learned advocate appearing for the State submits that necessary permissions were obtained from the learned ACJM, Kalna after enquiry and subsequently a case has been registered under section 115(2) of the BNS against respondent nos. 15, 17 and 21.

Having considered that the police authorities have already taken steps, in case in respect of the pathway there is any resistance, petitioner would be at liberty to approach the appropriate authorities or the jurisdictional civil court.

Police authorities would oversee no further breach of the peace or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 5770 of 2025 is disposed of.

Report so submitted be kept with the record.

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

***(Tirthankar Ghosh, J.)***