

D/L 108
28.03.2025
Bpg.
ct.no.35

W.P.A.6022 of 2025

**Smt. Narayani Mondal
Versus
The State of West Bengal & Ors.**

Mr. Santanu Chatterjee
Mr. Sourav Guha.
...for the petitioner.

Ms. Jhuma Chakroborty
Ms. Munmun Tewai.
...for the State-respondents.

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

Petitioner is aggrieved by the inaction of the police authorities in spite of the fact there are orders being passed by the Civil Court in T.S.83 of 2025. Petitioner's grievance is that in spite of specific directions passed by the learned Civil Judge (Junior Division), 1st Court, Kandi, Murshidabad restraining the respondents from disturbing the peaceful possession of the present petitioner, the private respondents are pursuing their illegal activities in disturbing the peaceful possession. To that effect, representation was made to the Officer-in-Charge, Salar Police Station. It is reflected that the accusations made were to the extent of assaulting the

petitioner, abusing him and also threatening him for being implicated in false cases.

Learned advocate for the State has submitted a report which reflects that on receipt of such information, police authorities have drawn up proceedings under Section 126 of the BNSS.

Learned advocate for the private respondents submits that the civil court is already in seisin of the issue concerned and the petitioner has approached this Court in order to exert his dominance by way of involving the police authorities.

I have considered the contentions of each of the parties and I am of the view that since the civil court is already in seisin of the nature of the dispute existing between the parties and has already passed an interim order, police authorities would oversee that there is no breach of the peace and/or tranquility and/or any untoward incident resulting because of the dispute relating to the property which has been referred to in the writ petition.

With the aforesaid observations, WPA 6022 of 2025 is disposed of.

There will be no order as to costs.

Report 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 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.)