

14.05.2025
Court No. 35
Item No.10
Rakib

W.P.A. 7044 of 2023

Md. Mabudh Hossain.
VS
The State of West Bengal & Ors.

Mr. Asfak Ahammed.

... for the Petitioner.

Mr. Usof Dewan,
Mr. Arup Sarkar,
Mr. Asif Dewan.

....for the respondent nos.4 to 13.

Mr. Mrinal Kanti Biswas.

...for State.

Petitioner has approached this Court being aggrieved by the inaction of the Officer-in-Charge of Harishchandrapur Police Station. According to the petitioner there have been attempts to grab the property of the petitioner illegally by way of force but inspite of informing the police authorities no steps have been taken and the private respondents have been trying to encroach the property.

Additionally it has been submitted that the private respondents have close proximity with the police authorities and as such they are threatening the petitioner and the petitioner is remediless.

Learned advocate appearing for the respondent nos. 4 to 13 submits that a Civil Suit is pending between the petitioner and the private respondents.

As none appears on behalf of the State, Mr. Mrinal Kanti Biswas, learned advocate who ordinarily appears for the State is directed to represent the State. His

appearance may be regularized by the concerned authorities.

Having regard to the fact that last of the complaints which is enclosed alongwith the writ petition is of 20.02.2023 and the petitioner submits that subsequently there have been incidents and events, I am of the view that the petitioner will bring the same to the notice of the Officer-in-Charge, Harishchandrapur Police Station who would take steps in accordance with law.

In case the petitioner is faced with circumstances that no steps are being taken by the concerned police station, petitioner would approach the jurisdictional Magistrate by way of invoking the provision of Section 175(3) of the BNSS.

With the aforesaid observations WPA 7044 of 2023 is disposed of.

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.)