

D/L 27  
16.04.2025  
Kausik  
ct.no.35

**W.P.A. 6862 of 2025**

**Lakhi Shaw  
Versus  
The State of West Bengal & Ors.**

Mr. Anindya Halder  
Mr. Zubair Ahmed  
...for the petitioner.

Mr. Subrata Bhattacharjya  
Ms. Dipa Bhattacharya  
Mr. Gourab Mukherjee

...for the respondent nos. 6 to 8.

Mr. Jayanta Samanta, Jr. Govt. Adv.  
Mr. Kaustav Chatterjee  
...for the state.

Learned advocate appearing for the petitioner is aggrieved by the fact that in spite of informing the police authorities, no proper steps have been taken. Only cases are registered but so far as the running of the business is concerned, the petitioner is unable to run his business as there has been serious obstruction created by the private respondent in respect of the extra light fittings as also in respect of usage and/or construction of privy.

State has submitted a report which reflects that Sonarpur PS Case No. 236/25 was registered at the behest of the petitioner wherein on conclusion of investigation charge sheet has been submitted;

Sonarpur PS Case No. 272/25 was registered on the basis of complaint submitted by the respondent no. 6 and the police authorities on conclusion of investigation has submitted charge sheet;

Sonarpur PS Case No. 312/25 was registered on the basis of information furnished by respondent no. 6 and police authorities on completion of investigation has also submitted charge sheet;

Sonarpur PS Case No. 510/25 was registered for investigation on the basis of the complaint of the present petitioner and the investigation of the said case is in progress.

Subsequently, there were cases initiated under section 163(2) of the BNSS. Be that as it may, so far as the possession of the petitioner is concerned, that is, not disputed but both the parties are at loggerhead which is surfacing from the police report submitted by the Inspector-in-charge, Sonarpur Police Station.

Having considered the nature of the dispute existing between the petitioner and the private respondent, I am of the view so far as the existence of right is concerned, that is to be established by a party before a civil court.

However, police authorities would ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties as also the number of criminal cases which has been set into motion on behalf of either side.

With the aforesaid observations WPA 6862 of 2025 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

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

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