

21.04.2025
Item No.24
Ct. No.35
dc.

W.P.A. 7334 of 2025

**Jagannath Mondal
versus
The Officer-in-Charge, Patashpur
Police Station & Ors.**

Mr. Sk Anwar Ali ... For the Petitioner.

Mr. Swapan Banerjee, AGP,
Mr. Diptendu Narayan Banerjee ... For the State.

Mr. Raj Kumar Sain,
Mr. Prithwish Guria,
Ms. H. Jana ... For the Respondent No.5.

The petitioner is aggrieved by the fact that the representation which was advanced to the Officer-in-Charge, Patashpur Police Station dated 20.03.2025 was not acted upon. The main grievance of the petitioner is that the private respondent has forcibly started construction and also threatened the petitioner for dire consequences. It has also been brought to the notice of this Court that T.S. No. 343 of 2014 is pending before the learned civil court wherein orders have been passed.

Since the civil court is already in seisin of the issue, I direct that the petitioner, if he is aggrieved by any dispute relating to land or construction on a land, the petitioner would approach the civil court for appropriate orders upon the police authorities. If any order is passed by the civil court, police authorities would respect, obey and implement such order. For issues relating to threat of dire consequences, the petitioner would approach the

jurisdictional criminal court under the relevant provisions of law. The jurisdictional criminal court will exercise its discretion for issuance of process, if any, after conducting a preliminary enquiry over the accusations made in the information furnished and on the complaint so filed before the court.

In the meantime, the police authorities would ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioner and the private respondent.

Needless to state that since the State-respondents and the private respondent have not used any affidavit, the allegations and/or accusations made in the writ petition are deemed not to have been admitted.

With the aforesaid observations, the writ petition being WPA 7334 of 2025 is disposed of.

There will be no order as to costs.

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.)