

D/L 36
21.04.2025
Bpg.
ct.no.35

W.P.A.7507 of 2025

**Satipada Das
Versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mr. SM Samim Ullah.
...for the State-respondents.

Md. Jannat ul Firdous.
...for the respondent no.6.

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

Petitioner is aggrieved by the fact that in
spite of informing the Officer-in-Charge, Burwan
Police Station including the superior officer of
Murshidabad Police District, no steps have been
taken relating to the unauthorized construction on
the land of the petitioner. Petitioner further complains
that he has been subjected to threat and there was
non-cooperation from the police authorities. A
partition suit being P.S. 17 of 2025 has been
preferred before the learned Civil Judge (Senior
Division), Kandi, Murshidabad against the private
respondents.

State has submitted a report. Report reflects
that already proceedings have been drawn up under

Section 126 of the BNSS. additionally a report has also been submitted under Section 163 of BNSS for restraint order.

Having considered the steps taken by the police authorities, I am of the view that so far as the issue relating to construction is concerned since the civil suit is pending before the learned Civil Judge (Senior Division), Kandi, Murshidabad, petitioner would pray for necessary orders before the said court.

However, the police authorities would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 7507 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.)