

D/L 27
20.03.2025
Bpg.
ct.no.35

W.P.A.7997 of 2024

**Koushik Bandyopadhyay
Versus
The State of West Bengal & Ors.**

Mr. Debasis Sur
Mr. Hare Krishna Halder.
...for the private respondent no.7.

The subject matter of the writ petition relates to the petitioner's claim that his egress and ingress is being obstructed because of illegal and unauthorized construction and whenever the petitioner resisted the same he is subjected to assault and injury. To that effect, information was furnished before the police station on or about 09.12.2023. However, no steps have been taken.

Learned advocate for the private respondent no.7 is present and submits that civil suit is pending and the civil court is in seisin of the issue.

Having considered that the representation was made on 09.12.2023 and the petitioner is aggrieved that no steps have been taken by the police authorities, I grant liberty to the petitioner to approach the jurisdictional court under Section 175(3) of the BNSS or Section 223 of the BNSS. Learned jurisdictional criminal court would assess as

to whether any cognizable offence has been made out and also ascertain as to whether any case for investigation is made out and thereafter take decision in accordance with law. Police authorities would ensure that if the situation persists there is no breach of the peace and/or tranquility and/or any untoward incident resulting because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 7997 of 2024 is disposed of.

There will be no order as to costs.

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.)