

28.04.2025
Court No. 35
Item No.29
Rakib

W.P.A. 7858 of 2025

Asit Ghosh.
VS
The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharyya,
Mr. Kaushik Chandra Gupta,
Mr. Raja Adhikari,
Mr. Mrinal Das.

...for the Petitioner.

Mr. Subhadip Biswas,
Ms. Dona Saha.

...for respondent nos.7 to 33.

Mr. Sirsanya Bandopadhyay,
Ms. Tapati Samanta,
Mr. Arindam Ghosh.

...for State.

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

Petitioner approached this Court as representation dated 28.03.2025 was not responded to by the police authorities. Mr. Bhattacharyya, learned advocate appearing on behalf of the petitioner has produced the order-sheets of the Civil Court wherein in C.O. 1571 of 2022 by an order dated 17.04.2023 a Coordinate Bench of this Court was pleased to direct the Superintendent of Police, Nadia to see that the order is duly complied with by the Officer-in-Charge, Santipur Police Station.

State has submitted a report. Report reflects regarding criminal cases which have been registered and the series of cases pending inter se the parties.

Learned advocate for the private respondents tried to draw the attention of this Court to the order passed in WPA 19338 of 2024, CPAN 1411 of 2024, RVW 268 of 2024 and tried to submit that the order so passed in C.O. 1571 of 2022 has been altered as the municipality was directed to conduct a hearing.

It has been brought to the notice by the learned advocate for the respondent nos. 7 to 33 that respondent no. 13 and respondent no.19 have already expired. Petitioner is granted leave to mask the name of the said two respondents.

Be that as it may, so far as the issue relating to sanction plan is concerned till date the sanction plan has been approved by the municipality which holds good. Except C.O. 1571 of 2022 so far as the other litigation which has been referred to by the private respondent no. 7 to 33 are concerned, there is no direction for stalling the construction as was earlier directed by the Civil Court.

In view of the aforesaid, the respondent nos. 7 to 33 are granted 30 days time to produce any order before the Superintendent of Police, Ranaghat Police District, thereby debarring the petitioner from proceeding with the construction as is directed by the Civil Court. In the alternative the police authorities would render all

assistance as has been directed in the order dated 17.04.2023 passed in C.O. 1571 of 2022.

With the aforesaid observations WPA 7858 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)