

05.05.2025

Item No.11

Ct. No.35

dc.

W.P.A. 8428 of 2025

**Nitai Chandra Lala
versus
The State of West Bengal & Ors.**

Mr. Mujibar Ali Naskar,
Md. Habibur Rahman ... For the Petitioner.

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

Ms. Barnali Gupta ... For the Respondent Nos.5 to 11.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that the private respondent nos. 5 to 11 are raising construction in such a manner that the egress and ingress of the petitioner is being obstructed. To that effect, information was furnished with the police authorities as the private respondents allegedly have assaulted the petitioner. However, the police authorities did not take any step. As such, the petitioner was compelled to approach this Court.

State has submitted a report which reflects that there is a rivalry over the disputed property and multiple complaints have been filed against the private respondents. Consequently, Raiganj P.S. Case No. 277/2024 has been registered for

investigation. Subsequently another case being Raiganj P.S. Case No. 289/2024 has been registered for investigation. The police authorities have also drawn up proceedings under Sections 107/116 of the Code of Criminal Procedure.

Learned advocate for the private respondent nos. 5 to 11 denies and disputes the contentions advanced on behalf of the petitioner.

Having regard to the fact that the police authorities are well aware regarding the ground reality existing, I am of the view that 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 respondents.

Needless to state that since no affidavits have been called for, the accusations made against the private respondents and/or the State-respondents are deemed not to have been admitted.

With the aforesaid observations, the writ petition being WPA 8428 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.)