

05.05.2025
Court No. 35
Item No.3
Rakib

W.P.A. 8166 of 2025

**Samchher Molla & Ors.
VS
The State of West Bengal & Ors.**

Mr. Benazir Shaikh,
Mr. Ibrahim Shaikh.
... for the Petitioners.
Mr. Wasim Ahmed,
Mr. Sk. Md. Masud.
...for State.

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

Petitioners are aggrieved by the fact that the
private respondents are illegally carrying on business of
fisheries without any license on a land/water body which
belongs to the petitioners. Learned advocate appearing for
the petitioners submit that the said business is carried on
in violation of the provisions of law without any license
and the police authorities till date did not register any
case.

Learned advocate appearing for the State has
submitted a report. Report reflects that proceedings
under Section 126 of the BNSS have been drawn up.

Since the main grievance of the petitioners are
presently that the private respondents are carrying on
their business without having any license, I grant liberty
to the petitioners to approach the Jurisdictional
Magistrate, if any cognizable or non-cognizable offence is
made out because of absence of license.

Police authorities would keep their surveillance and ensure that no breach of the peace and/or tranquility take place and/or untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 8166 of 2025 is disposed of.

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

A copy of the report be handed over to the learned advocate for the petitioners.

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.)