

Sl.No. 02.05.2025  
95  
Court  
No. 35  
G.S.Das

## WPA 8151 of 2025

**Sunil Maity**

**-Vs-**

**The State of West Bengal & Ors.**

Mr. Probal Kr. Mukherjee, Id. Sr. Adv.

Ms. Shebatee Datta

... for the petitioner(s)

Mr. Ansar Mandal, Id. AGP

Mr. Tanweer J. Mandal

... for the State-respondent(s)

Mr. Pinaki Ranjan Mitra

... for the respondent nos. 5 and 6

The petitioner is aggrieved by the fact that there has been unnecessary interference at the behest of the private respondents in relation to a construction which was being raised at his instance. The said construction has arbitrarily been stopped.

The petitioner, to that effect, complained before the Officer-in-charge of Jagatballavpur Police Station. However, no steps have been taken by the concerned police station for which the petitioner is suffering.

Learned advocate for the private respondent submits that a title suit being T.S. 44 of 2007 is pending before the learned Civil Judge (Jr. Divn.), 7<sup>th</sup> Court, Howrah and the same has been fixed on 24.07.2025 for argument on commission report.

Learned advocate for the State has submitted a report which reflects that the police authorities have already drawn up a proceeding under Section 126 of the BNSS.

Having regard to the fact that the learned Civil Court is already *in seisin* of the issues, if the petitioner faces any inconveniences in relation to the said construction, an appropriate application be preferred before the learned Civil Judge (Jr. Divn.), 7<sup>th</sup> Court, Howrah *in seisin* of the issues.

As the police authorities have already kept a strict vigil, they would

continue their surveillance and ensure that there is no breach of the peace and/or tranquility taking place as also no untoward incident resulting because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 8151 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

**(Tirthankar Ghosh, J.)**

