

Sl.No.
212 01.05.2025

Court
No. 35

G.S.Das

WPA 8265 of 2025

Karijul Haque @ Seikh Karijul Haque -Vs- The State of West Bengal & Ors.

Mr. I. Shaikh
Mr. Benazir Shaik
Mr. S. Mukherjee
... for the Petitioner(s)
Mr. Somnath Ganguli, Id. AGP
Ms. Sangeeta Roy
... for the State-respondent(s)
Mr. S. Shah
Mr. Sk. Abu Musa
Mr. U. Khan
... for the respondent nos. 9-13

The petitioner is aggrieved by the fact that his land has been occupied by a political party. To that effect, an information was furnished. However, the police authorities did not take any action.

Learned advocate for the respondent nos. 9 to 13 submits that on the self-same cause of action, another writ petition was preferred which has been disposed of.

State has submitted a report, which reflects that a proceeding under

Section 126 of the BNSS has been drawn up in the meantime.

Having regard to the fact that the nature of the prayer advanced by the learned advocate for the petitioner is for recovery of possession, I am of the view that the police authorities are not empowered to deal with the same until and unless appropriate civil court directs the police authorities to execute.

The police authorities would only restrict themselves to the issue that no breach of the peace and/or tranquility takes place as also no untoward results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 8265 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.)