

06.05.2025
Court No. 35
Item No.8
Rakib

W.P.A. 8568 of 2025

Biman Biswas.
VS
The State of West Bengal & Ors.

Mr. Sanjib Das,
Mr. Sk Abul Hasan.

... for the Petitioner.

Mr. Amanul Islam,
Mr. Sourav Mukherjee.

...for respondent nos. 6&7.

Mr. Suman Sengupta, Sr. Govt. Adv,
Mr. Sambuddha Dutta,
Mr. Sanatan Panja.

...for State.

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

Petitioner has approached this Court as he is aggrieved by the inaction of the police authorities. The main grievance of the petitioner is that pursuant to the information furnished with the police authorities a case has been registered being Palashipara Police Station case no. 31/25 dated 14.01.2025 but the principal grievance of the petitioner is that the private respondents had affixed padlock over the rooms which were in possession of the petitioner and as such there is no free egress and ingress to the rooms which petitioner claims to be his own.

Learned advocate appearing for the private respondents submits that already a suit is pending before the Civil Court and the remedy sought for by the writ

petitioner is for circumventing the powers of the Civil Court.

Mr. Sengupta, learned advocate appearing for the State has submitted a report. Report reflects regarding the steps taken by the police authorities and a history of cases already pending inter se the parties.

In view of the aforesaid, I am of the opinion that the police authorities are already in seisin of the nature of the disputes between the petitioner and the private respondents so far as the criminal cases are concerned. However, as already a case being Title Suit No. 453/2022 is pending before the learned Civil Judge (Senior Division), Tehatta, Nadia, I am of the view that the issue relating to egress and ingress be brought to the notice of the concerned Court, in case the Civil Court passes any direction upon the police authorities relating to egress and ingress, the police authorities would respect, obey and implement the order of the Civil Court.

With the aforesaid observations WPA 8568 of 2025 is disposed of.

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

Copy of the report without annexure be handed over to both the parties.

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.)