

06.05.2025
Court No. 35
Item No.44
Rakib

W.P.A. 9059 of 2025

Sk. Saidul Islam.
VS
The State of West Bengal & Ors.

Mr. P.K. Banerjee,
Ms. Indrani Nandy.

... for the Petitioner.

Mr. Jyoti Prakash Chatterjee.

...for respondent nos. 10 to 12.

Mr. Swapan Banerjee, Ld. AGP,

Mr. Diptendu Narayan.

...for State.

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

Petitioner informed the Inspector-in-Charge of
Monteswar Police Station to allow him along with other
co-sharers to construct road around the water body/pond
and not to disturb the petitioner while executing such
construction.

Report has been submitted by the police
authorities which reflects that because of the strained
relationship between the parties, proceedings under
Section 126/135 of the BNSS has been drawn twice. A
Civil Suit being T.S. 42/24 is pending.

Having considered that the Civil Court is already
in seisin of the issue, petitioner would address his
grievance before the Civil Court and if the Civil Court
directs for rendering police assistance in those
circumstances, police authorities would respect, obey and
implement the order of the Civil Court.

Since already proceedings under Section 126 of the BNSS have been drawn up, police authorities would continue their surveillance and see that no untoward incident takes place because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 9059 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 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.)