

**21.05.2025**  
Court No. 35  
Item No.14  
Rakib

**W.P.A. 9396 of 2025**

**Habirali Sekh alias Habibar Sekh.**  
**VS**  
**The State of West Bengal & Ors.**

Mr. Soumen Bhattacharjee,  
Mr. Ankan Das,  
Ms. Shradhya Ghosh.

...for the petitioner.

Ms. Jhuma Sen,  
Mr. Samsul Laskar

...for the respondent no.4

Mr. Pantu Deb Roy,  
Mr. Subrata Guha Biswas.

...for the State

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

Petitioner is aggrieved by the inaction of the police  
authorities, particularly with regard to the information  
furnished on or about 03.03.2025 with the concerned  
police station.

State has submitted a report. Report reflects that  
there were proceedings under Section 163(2) of the BNSS.  
Subsequently, orders passed by the learned Executive  
Magistrate were stayed by the learned Sessions Court.  
Police authorities claim that they have never interfered  
with the issue relating to the land or any construction  
having been taken place.

Learned advocate for the respondent no.4 submits  
that the nature of the dispute complained of is a civil  
dispute and the petitioner is unnecessarily lodging

complaint with the police authorities to give a flavour of criminal case.

I have considered the prayers advanced before this Court, the prayers before this Court are for protection of life and property and not to disturb the peaceful possession of the petitioner. Having considered the same, police authorities would ensure that both the parties should not create any untoward circumstances which may lead to any breach of the peace and/or tranquility. Police authorities would continue their surveillance and ensure that the petitioner and the private respondents who are in an inimical relationship do not take law in their own hand so that the same is blown out of proportion.

With the aforesaid observations WPA 9396 of 2025 is disposed of.

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

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.)**