

07.05.2025

Item No.57

Ct. No.35

dc.

W.P.A. 9425 of 2025

**Santu Naskar & Anr.
versus
The State of West Bengal & Ors.**

Mr. Sourov Mondal,
Mr. Rony Mondal ... For the Petitioners.

Mr. Wasim Ahmed,
Sk. Md. Masud ... For the State.

Mr. Sounak Bhattacharya,
Mr. Chandra Nath Sarkar,
Mr. Sounak Mandal ... For the Respondent Nos.5 to 18.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioners are aggrieved by the inaction of the police authorities and complain that the petitioners are subjected to physical assault, harassment and there is every possibility that the petitioners' property would be grabbed by the private respondent nos. 5 to 18.

State has submitted a report which reflects that a civil suit has been initiated at the behest of the petitioners. There is an ad interim injunction passed by the concerned court. There are criminal cases wherein charge-sheets have been submitted.

Mr. Bhattacharya, learned advocate appearing for the private respondent nos. 5 to 18 submits that the accused persons in connection with the criminal cases have been granted bail. So

far as the remedy sought for by the petitioners since the civil court is already in seisin of the issue, the writ court at this stage should not exhaust its powers.

I have considered the submissions advanced by the respective parties and I am of the opinion that the police authorities are well aware regarding the dispute between the petitioners and the private respondents. They have already drawn up proceedings under Sections 126/135(3) of BNSS. Since the civil court is already in seisin of the issue, the question relating to grabbing of the property at this stage is ruled out. In case the petitioners face inconvenience, petitioners will bring the same to the notice of the learned civil court. If there are incidents which are blown out of proportion, police authorities would respond according to the want of the situation. Additionally, the police authorities would keep their surveillance and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioners and the private respondents.

With the aforesaid observations, the writ petition being WPA 9425 of 2025 is disposed of.

There will be no order as to costs.

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.)