

23.05.2025

Item No.13

Ct. No.35

dc.

W.P.A. 9929 of 2025

**Manabendra Banerjee
versus
The State of West Bengal & Ors.**

Mr. Rafikul Islam Sardar,
Ms. Aparajita Mondal ... For the Petitioner.

Mr. Santanu Kumar Mitra,
Mr. Subhabrata Das ... For the State.

Mr. Narendra Prasad Gupta
... For the Respondent Nos. 7 to 11.

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. A copy of the report be handed over to the learned advocates appearing for the petitioner and the respondent nos. 7 to 11.

The petitioner is aggrieved by the fact that in spite of Tarakeswar Police Station Case No. 21 of 2025 dated 17.01.2025 having been registered under the relevant provisions of BNS, 2023. The private respondents are adamant and pursuing their illegal activities. Petitioner complains that construction is being illegally raised by the private respondents and on being resisted, the petitioner's wife was subjected to threat and abuse.

On the other hand, the learned advocate appearing for the private respondent nos. 7 to 11

submits that the property referred to is an undemarcated property and the private respondents are also co-sharers in respect of the property. According to the private respondents, police authorities are being involved to deprive the private respondents from their lawful claim.

State has submitted a report regarding the steps so taken particularly, with regard to the information furnished on 26.04.2025. To that effect, proceedings have been drawn up under Sections 126/135 of BNSS.

Police authorities are aware regarding the ground reality so far as the strained relationship relating to the petitioner and the private respondents are concerned. As such, the police authorities are directed to 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 petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 9929 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.)