

D/L 130
19.05.2025
Bpg.
ct.no.35

W.P.A.10209 of 2025

**Mukul Jha
Versus
The State of West Bengal & Ors.**

Ms. Priyanka Das.
...for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Akash Dutta.
...for the State-respondents.

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty.
...for the respondent nos.12 and 13.

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

Petitioner is aggrieved by the fact that the private respondents have been disturbing the peaceful possession of the petitioner and to that effect, information was furnished to the Inspector-in-Charge, Manikchak Police Station on or about 11th March, 2025. Petitioner complains that in spite of such information being furnished there has been continuous interference and disturbance at the behest of the private respondents.

State has submitted a report. Report reflects that there was a dispute between the private respondents and the petitioner. To that effect, police

authorities have drawn up proceedings earlier under Section 107 of the Code of Criminal Procedure.

Learned advocate for the private respondents disputes and denies the contentions advanced on behalf of the petitioner and submits that such a representation has been made with the police authorities only to establish his domination over the property.

Be that as it may, petitioner has informed the police station that the private respondents are adamant in destroying the entire mango garden of the petitioner and in spite of the police authorities having complete knowledge of the same, petitioner is feeling insecure because of the aggression of the private respondents.

Having considered the representation so made, petitioner would be at liberty to approach the jurisdictional Magistrate in case he find that the situation is blown out of proportion and his property and liberty is under threat. Learned Magistrate in such a case would assess regarding the nature of the accusations complained of and would after conducting an enquiry decide the course of law to be adopted to ensure regarding the protection of the liberty and property of the petitioner.

With the aforesaid observations, WPA 10209 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)