

D/L 48
22.05.2025
ct. no. 35
Kausik

W.P.A. 10649 of 2025

**ITC Limited & Anr.
Versus
The State of West Bengal & Ors.**

Mr. S.N. Mukherjee, Sr. Adv.
Mr. Dhruba Ghosh
Mr. Sandipan Ganguly
Mr. Somopriyo Chowdhury
Mr. Sourav Bhagat
Mr. Sarathi Dasgupta
Ms. Yamini Mookherjee
Mr. Jishnujit Roy
Mr. Dipayan Dan

...for the petitioners.

Mr. Sirsanya Bandopadhyay, Sr. St. Counsel
Mr. Akash Dutta

...for the State.

Petitioner is aggrieved by the fact that there has been encroachment in the property by the petitioner after they purchased the same from an erstwhile company which had its landed properties. Petitioner claims that the private respondents are encroaching upon a part of the property which belongs to them. To that effect, they have approached the administration and also the Executive Magistrate. Orders have been passed. But in spite of such order having been passed there are certain local clubs who are imposing themselves for encroaching upon the property. So far as the issues

relating to the encroachment is concerned, the same would be considered by the Court having jurisdiction to adjudicate the same.

State has submitted a report. Report reflects that MP Case No. 244 of 2025 and MP Case No. 563 of 2025 were initiated at the behest of the petitioners. The police authorities have also called for reports from the BL & LRO, Barrackpore-II, 24 Parganas North and informed the Chairman, Kamarhati Municipality. It is also reflected from the report that the Officer-in-charge of the local police station have kept a strict vigil over the issues complained of and ensure that peace and tranquility is prevailed.

However, having regard to the circumstances canvassed by the petitioner if the petitioner or its authorized representative advances any prayer with the Commissioner of Police of the Barrackpore Police Commissionerate for police picket, the Commissioner of Police will consider the same and ensure that no further encroachment of the property takes place without an order from a court of law.

If any costs are to be borne the petitioner are ready and willing to bear the costs of the police picket.

With the aforesaid observations WPA 10649 of 2025 is disposed of.

Report so submitted 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.

(Tirthankar Ghosh, J.)