

D/L 9
23.06.2025
Bpg.
ct.no.35

W.P.A.11091 of 2025

**Amiya Kr. Jana & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Bhaskar Ch. Manna
Ms. Munmun Seth.
...for the petitioners.

Mr. Santanu Kr. Mitra
Mr. Amartya Pal.
...for the State-respondents.

Learned advocate appearing for the petitioners submits that the petitioners are facing hardship because of the act and action of the private respondents who are adamant for creating obstruction in the peaceful enjoyment of the property. Learned advocate submits that the petitioners are unable to stay at home neither able to cultivate or harvest their crops.

Learned advocate for the State has submitted a report which reflects that there are cases and counter cases between the parties. In both the cases, police authorities after investigation have submitted charge-sheet. There is a civil suit pending between the parties. The concerned Officer-in-Charge, Khejuri

Police Station has also drawn up proceedings under Section 126 of the BNSS.

Having regard to the nature of the dispute particularly with regard to the last representation wherein the petitioners have complained regarding cultivation and harvesting and since T.S.No.450 of 2024 is already pending before the learned civil court at Contai, petitioners would take out an appropriate application before the learned civil court. Learned civil court would in the circumstances address the grievance of the petitioners and if required pass necessary directions upon the police authorities. For the present, the police authorities would ensure that there is no breach of the peace and/or tranquility and would ensure that no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 11091 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

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.)