

D/L 16
23.06.2025
Kausik
ct.no.35

W.P.A. 11225 of 2025

**Dr. Mainak Dey
Versus
State of West Bengal & Ors.**

Mr. Rabindra Kumar Mitra
Mr. Sourjya Das
Ms. Poulami Bhowmick

...for the petitioner.

Mr. Hiranmoy Ghosh

...for the respondent nos. 3 to 6 & 8 to 10.

Mr. Joydip Banerjee
Mr. Subhra Nag

...for the State.

Learned advocate appearing for the petitioner is aggrieved by the over acts of the private respondents and to that effect is aggrieved by the fact that in spite of informing the concerned police station no steps are being taken.

Additionally, it has been submitted that petitioner and his wife has been subjected to abuse, assault and social embarrassment and harassment. No steps yet have been taken by the police authorities and the petitioner is unable to open his shop as also carry out his professional activities.

Learned advocate for the State has submitted a report. Report reflects that Ultadanga Police Station Case No. 68 dated 14.05.2025 has

been registered for investigation against the flat owners/respondent nos. 3 to 7. Grievance of the petitioner is that the respondent no. 8 has not been made an accused.

It is in course of investigation if the Investigating Officer finds that the respondent no. 8 is wanted and has complicity in connection with the instant case it would be sole discretion of the Investigating Officer to take a call on the issue so far as the grievance expressed by the present petitioner is concerned. If he is aggrieved for any biased act and action of the Investigating Officer he would take out an appropriate application before the learned jurisdictional Magistrate in seisin of Ultadanga Police Station Case No. 68 dated 14.05.2025.

Learned advocate for the private respondent nos. 3 to 6 and respondent no. 8 submits that already a Title Suit no. 181 of 2025 is pending before the learned Civil Judge (Junior Division), Sealdah.

Be that as it may, since the civil court and criminal courts are already in seisin of the issues, the police authorities would ensure that post registration of the case there should not be any breach of the peace and tranquility and should keep a strict vigil so that no untoward incident further results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations WPA 11225 of 2025 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)