

D/L 30
10.07.2025
Bpg.
ct.no.35

W.P.A.11571 of 2025

**Sowkat Hossain
Versus
The State of West Bengal & Ors.**

Mr. Saikat Debnath.
...for the petitioner.

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

Petitioner is aggrieved by the inaction of the police authorities since the police authorities did not respond at the time when the petitioner was repairing his house and there were obstructions at the behest of the private respondents. So far as such contention of the petitioner is concerned, there is no scope for the police authorities to enter into a dispute which is private and personal in nature. However, so far as the excesses which have been inflicted, to that extent, Bhatar Police Station Case No.154 of 2025 dated 28.04.2025 has been registered for investigation under the relevant provisions of BNS.

The case was registered on 28th April, 2025. Police authorities are directed to comply with the statutory obligations under Section 193 of the BNSS and accordingly after a period of 90 days inform the

progress of the investigation to the petitioner who has set the law into motion.

In case there is non-compliance, petitioner would approach the jurisdictional Magistrate in seisin of the issue. So far as the other issues relating to obstruction of the police authorities are concerned relating to installation of doors and windows, petitioner will approach the jurisdictional civil court. No interference is required on such issue by way of invoking the jurisdiction under Article 226 of the Constitution of India.

Accordingly, WPA 11571 of 2025 is disposed of.

There will be no order as to costs.

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.)