

23.06.2025
Item No.51
Ct. No.35
dc.

W.P.A. 11739 of 2025

**Sri Kiriti Bauri
versus
The State of West Bengal & Ors.**

Mr. Amit Kumar Ghosh ... For the Petitioner.

Ms. Piyali Sengupta,
Mr. Soumadip Chakraborty ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that his egress and ingress in the pathway is obstructed by the private respondent no.5. To that effect, information has been furnished to the police authorities, but the police authorities did not take any effective steps. Private respondent approached the learned Executive Magistrate. However, in spite of directions passed by the learned Executive Magistrate in M.P. Case No. 470 of 2024, the private respondent did not adhere to the said directions.

State has submitted a report which reflects that both the petitioner and the private respondent are aggressive and desperate in nature. Consequently the police authorities have drawn up proceedings under Sections 126/135(3) of BNSS.

Police authorities have also referred to in the report in respect of possession of the respondent no.5 in Plot Nos. 624/1439 and 628/1768.

So far as the contention of the petitioner in respect of egress and ingress is concerned, according to the police authorities, the same is being done by way of force and in an illegal manner as the same is contrary to the report of the Revenue Inspector, R.I. Office, Pandaveswar dated 18.11.2024.

In view of the report so submitted, petitioner be well advised to approach the jurisdictional civil court or the appropriate authorities for establishing his right over the pathway.

Police authorities would continue their surveillance and ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondent.

With the aforesaid observations, the writ petition being WPA 11739 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)