

M/L 848
23.07.2025
ct.no.35
Kausik

W.P.A. 13183 of 2024

**Susmita Das & Anr.
Versus
State of West Bengal & Ors.**

Mr. Sk. Abdulla Mondal

...for the Petitioners.

Mr. Samirul Sardar
Mr. Md. Kairul Basan Bulbul

...for the respondent nos. 6 & 7.

Ms. Jhuma Chakraborty, Ld. Sr. Govt. Adv.
Mr. Suddhadev Adak

...for the State.

The writ petition was preferred as the petitioner was aggrieved by the inaction of the police authorities, particularly the Officer-in-Charge, Dhaniakhali Police Station as in spite of receipt of the representation dated 28.03.2024 no steps were taken.

Ms. Chakraborty, learned advocate appearing for the State has submitted a report. Report reflects that the police authorities were aware regarding the dispute between the petitioner and the private respondent which related to a land measuring about 11 Decimals, situated at Plot No. 940, J.L. No. – 99, Khatian No. 1569, Mouza –

Dhaniakhali, within the jurisdiction of Dhaniakhali Police Station. The further dispute which reflects is that the petitioner planted some trees on the said land and attempted to construct a temporary fencing around the said area without prior permission. There was a dispute between the petitioner and the private respondent. Consequent to that, the petitioner approached the learned Executive Magistrate. However, the police authorities at the relevant point of time drew up proceedings under section 126/135 of the BNSS.

Learned advocate for the respondent nos. 6 & 7 is present and submits that the petitioners have tried to give a civil dispute the cloak of criminal proceedings. Learned advocate further denies and disputes the accusations made in the writ petition.

Having regard to the steps taken by the police authorities and the nature of the dispute between the parties, I am of the view that it would be proper for the parties to approach the jurisdictional Civil Court for appropriate remedies. In case fresh inconveniences are faced by the petitioners, they would file a fresh representation before the concerned police station who would act in accordance with law.

With the aforesaid observations WPA 13183 of 2024 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.)