

D/L 62
26.06.2025
Bpg.
ct.no.35

W.P.A.12397 of 2025

**Liton Kumar Das
Versus
The State of West Bengal & Ors.**

Mr. Ramkrishna Bhattacharyya
Mr. Kaushik Chaudhury.
...for the petitioner.

Mr. K.J. Yusuf
Mr. Parikshit Goswami.
...for the State-respondents.

Mr. Satyam Mukherjee
Mr. Saibal Rakshit.
...for the respondent no.5.

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

Learned advocate for the petitioner is
aggrieved by the fact that he allowed the private
respondent no.5 to use the shop room for a limited
period of time. However, when the petitioner intended
to get back his shop room, the private respondent
no.5 refused to hand over the same and, as such,
dispute and difference arose between the petitioner
and the private respondent no.5. Consequent to
which, petitioner submitted a representation before
the local police station as well as the Superintendent
of Police, 24 Parganas (North).

Learned advocate for the respondent no.5 is present and submits that he is in possession by handing over a substantial sum of money.

State has submitted a report. Report reflects that the police authorities have drawn up proceedings under Section 126 of the BNSS.

I have considered the nature of the dispute. So far as the right, title and interest of a property is concerned, the domain of the civil court cannot be interfered with by the police authorities. Petitioner would approach the civil court for appropriate reliefs. If any direction is passed by the civil court upon the police authorities, the police authorities would respect, obey and implement such order. In the meantime, police authorities would keep a strict vigil so that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 12397 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocates appearing for the parties.

Needless to state that since no affidavits have been called for, the accusations made by the

petitioner and/or the private respondent no.5 are deemed not to have been admitted.

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.)