

WPA 12099 of 2025

Md. Irfan Adil

v.

The State of West Bengal & Ors.

28.05.25
Sl-24
Ct.07
(S.R.)

Mr. Allen Felix ... for the petitioner.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee ... for the State.

Mr. S. Ganguly
... for the respondent no.6.

The present writ petition has been filed alleging inaction on the part of the concerned police authorities in taking appropriate action against private respondent No. 6.

The petitioner submits that he and private respondent No. 6 formed a partnership firm and started operating gym. Subsequently, certain disputes arose between them, resulting in the petitioner's removal from the partnership firm. Private respondent No. 6 filed an application under Section 163(2) BNSS, upon which an appropriate order was passed.

The petitioner further alleges that private respondent No. 6 has since threatened him with dire consequences. Therefore, the petitioner seeks a direction to the police authorities to provide protection against any unnecessary harassment by private respondent No. 6.

The learned advocate, Mr. Ganguli, representing

private respondent No. 6, vehemently opposed the petitioner's contentions. He submits that the petitioner was removed from the partnership firm following due process of law. Further, the petitioner is attempting to create disturbances to private respondent No. 6 and other partners who have been duly inducted to operate the business.

Such conduct on the part of the petitioner compelled private respondent No. 6 to file an application under Section 163(2) BNSS, upon which the concerned Court passed an order directing the parties to maintain peace and tranquility. Private respondent No. 6 is complying with the said order in both letter and spirit.

Mr. Banerjee, learned advocate representing the State respondents, has filed a report. The report produced by Mr. Banerjee is hereby taken on record. He submits that the dispute between the petitioner and private respondent No. 6 is of a civil nature. He further submits that the concerned police authorities have taken appropriate steps in compliance with the order passed in the proceeding initiated under Section 163(2) BNSS of the Code. If the situation so demands, the police authorities will take all necessary measures to ensure that peace, tranquility, and law and order are maintained in the locality.

Having heard the learned advocates appearing for

the respective parties and considering the submissions made on behalf of respondent No. 6, I am of the view that no interference in this writ petition is warranted. However, it is expected that the police authorities will take all necessary measures to ensure that law and order in the locality is maintained and does not deteriorate in relation to the issues raised in this writ petition.

There shall, however, be no order as to costs.

Urgent Photostat certified copy of the order if applied for, be made over to the parties as expeditiously as possible.

(Partha Sarathi Chatterjee, J.)