

10.07.2025
Item No.52
Ct. No.35
dc.

W.P.A. 12104 of 2025

Sek Abdul Said
versus
The State of West Bengal & Ors.

Mr. Biswarup Chatterjee ... For the Petitioner.

Mr. K. J. Yusuf, AGP,
Mr. Sanatan Panja ... 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 inaction of the police authorities as a decree has been passed in his favour and in spite of the same, the petitioner is being obstructed from cultivation of the land. It was also informed to the police authorities that the stay order in Title Appeal No. 14 of 2025 has been vacated and what is expressed is that in order to prevent any untoward event and for threats of false implication of a criminal proceeding, petitioner had no other option except to lodge the complaint.

The contents of the said communication reflects that information which was submitted before Narayangarh Police Station was in respect of an apprehension of violence.

State has submitted a report denying any incident having taken place, but it has been

admitted by the State that the stay order in Title Appeal No. 14 of 2025 has been vacated and the next date has been fixed subsequently. State has also claimed that a sharp vigil has been kept and a proceeding under Section 126 of BNSS has been drawn up by way of a General Diary Entry No. 1471/2025 dated 26.05.2025.

In view of the fact that a proceeding under Section 126 of BNSS, survives for a minimum period of six months, the present proceeding under Section 126 of BNSS relating to Narayangarh PS NCR No. 86/2025 dated 26.05.2025 is still pending. Accordingly, petitioner is directed to approach the Executive Magistrate who would ascertain the ground reality by calling for a report from the police authorities and in case it is found that the private respondents are involved in violation of law and order, the concerned Executive Magistrate will not hesitate to pass directions upon the private respondents to stay outside the jurisdiction of Narayangarh Police Station.

With the aforesaid observations, the writ petition being WPA 12104 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.)