

23.07.2025
Court No. 35
D/L. No.7
Rakib

W.P.A. 13348 of 2025

**Dildar Ali Mallick
VS
The State of West Bengal & Ors.**

Mr. Sowmik Bagchi
Mr. Syed Murshid Alam
Mr. A. Roy
Mr. Subrata Ghosh
Mr. Sk. Abdulla Mondal
...for the Petitioner.

Mr. Nilotpall Chatterjee
Ms. Munmun Ganguly
...for the State.

Mr. Suddhadev Adak
Mr. Richa Pramanik
...for respondent no. 6.

Learned advocate appearing for the petitioner is aggrieved by the fact that a construction is being raised by the private respondent illegally and to that effect information was furnished to the police authorities but no steps have been taken. Petitioner further submits that since he is residing outside the State undue advantage is taken by the private respondent.

Learned advocate for the private respondent opposes the contention and submits that the petitioner has hardly any locus to raise the objections.

State has submitted a report. Report reflects that police authorities apprehending breach of the peace has already drawn up proceedings under Section 126/135 of the BNSS.

Having considered that the dispute is absolutely a civil dispute, petitioner would approach the appropriate Civil Court for remedies. Police authorities, however, would continue their surveillance and ensure that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 13348 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)