

D/L 22
26.02.2025
Bpg.
ct.no.35

W.P.A.14220 of 2024

**Swami Prabuddhananda alias Bikash Maharaj
Versus
The State of West Bengal & Ors.**

Ms. Kaberi Ghosh (Dey).
...for the petitioner.

Mr. Rajarshi Basu
Mr. Ananda Dulal Sarkar.
...for the State-respondents.

Mr. Anirban Mitra
Mr. Amit Halder
Mr. Amit Roy.
...for the respondent no.5.

Affidavit-in-opposition and affidavit-in-reply
filed by the respective parties be kept with the record.

Petitioner is aggrieved by the fact that he has
been illegally thrown out by the Trustees of
Ramakrishna Vedanta Math, situated at 19 A & B,
Raja Rajkrishna Street, Kolkata – 700 006.

The extract of the minutes of the proceedings
of the meeting reflects that certain charges were there
against the present petitioner and consequently he
was granted seven days' time to leave the Math. The
said extract of the minutes of the proceedings of the
meeting was signed by General Secretary on behalf of
the Trustee Board of Ramakrishna Vedanta Math
dated 07.04.2024.

Petitioner claims restoration of possession of the petitioner at the aforesaid address and to that effect informed the local police station along with the superior officers of police in-charge of the local police station. Petitioner complains that he did not receive any assistance from the police station.

So far as issues relating to possession are concerned, the police authorities are not empowered to act until and unless otherwise directed by an appropriate court of law or an authority who are to deal with in respect of possession, tenancy, lease and related issues concerned. As such, until and unless the said extract of the resolution dated 17th March, 2024 signed on 7th April, 2024 by the General Secretary is set aside by a competent authority or competent court of law, the police authorities will not be in a position to render their assistance. However, if a competent authority or a court of law interferes in respect of such resolution and directs the police authorities, the police authorities would respect, obey and implement the order concerned. For the time being, I find that the police authorities have registered a case being Burtolla Police Station Case No.118 dated 19.07.2024 under the relevant provisions of law. Let the investigation of the said case be taken to

its logical conclusion within a reasonable period of time.

With the aforesaid observations, WPA 14220 of 2024 is disposed of.

There will be no order as to costs.

Since the investigation of the case is in progress, this Court has not dealt with either the affidavit-in-opposition or the affidavit-in-reply.

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.)