

02.12.2025
rc/ct.no.05
Item No.23

WPA No. 13074 of 2023
Uttam Karmakar
Versus
The State of West Bengal & Ors.

Mrs. Kaberi Ghosh (Dey)	
Mr. Sujit Chowdhury	..for the Petitioner
Mr. Wasim Ahmed	
Sk. Md. Masud	for the State

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the private respondent is trying to raise pillars in the property owned by him by encroaching upon the same. Complaints filed by the petitioner in this regard have not been acted upon by the police authority.

Learned counsel for the State submits that the dispute is civil in nature and the petitioner is at liberty to approach the civil court for redressal of his grievance.

Indeed the dispute between the petitioner and the private respondent is civil in nature. The petitioner is at liberty to approach the civil court for redressal of his grievance. In the event the petitioner is aggrieved by the fact that the complaints lodged by him have not been acted

upon, he is at liberty to approach the appropriate forum under Section 175 of the BNSS.

However, the police shall maintain strict vigil over the area so that no untoward incident may happen there is no breach of law and order.

The writ petition is accordingly disposed of.

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

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)