

Sl.No. 10.07.2025
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Court
No. 35
G.S.Das

WPA 12809 of 2025

Bhabatosh Chakraborty & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Mani Sankar Chattopdhyay
Ms. Shalini Singh
... for the Petitioner(s)

Mr. Swapan Banerjee
Ms. Sumita Shaw
Mr. Soumen Chatterjee
... for the State-respondent(s)

Mr. Aninda Bose
Ms. Pratiti Das
Ms. Shalini Sen
... for the respondent nos. 5 to 10

The petitioners are aggrieved by the fact that the CCTV(s) are being deactivated by some of the office bearers of the Cooperative Housing Society.

It is also alleged that there is attempt of filling up the water body which is situated within the campus of the said Cooperative Housing Society with the aid of the outsiders.

It is further alleged that when the petitioners resisted such illegal act and

activities of the private respondents and the office bearers, they were subjected to harassment and, inspite of informing the police authorities, no steps are being taken.

Learned advocate for the private respondents submits that the nature of the dispute complained of are primarily a civil dispute and/or the disputes which are to be referred to the Registrar of the Cooperative Society, the police authorities have hardly any role to interfere with.

So far as the filling up of water body is concerned, a plea has been taken up on behalf of the respondent(s) that the process of beautification is going on and, to that extent, there has been only fencing over the water body and there has been no filling up of the water body which is within the campus of the said Cooperative Housing Society.

Having considered the submissions

advanced by the parties, I direct that in case, any complaint is received by the police authorities regarding filling up of the water body situated within the campus of the said Cooperative Housing Society, they would refer the same to the West Bengal Land Reforms Tribunal and take steps if any cognizable offence is made out.

On the other hand, if the same is for the limited purpose of only fencing and beautification, the police authorities will not interfere with the same.

So far as the issue relating to CCTV footage is concerned, if any information was received from the petitioners that the same has been deactivated either at the behest of the members or the office bearers or with the aid of the outsiders, the police authorities would immediately take steps so that the same may be restored to its original process.

The police authorities would also oversee that the situation in the Cooperative Housing Society which consist of huge number of members are not blown out of proportion because of the present inimical relationship existing between them. In case, the police authorities find that there is apprehension of breach of law and order, they would take steps in accordance with law.

With the aforesaid observations, WPA 12809 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

