

**01.07.2025**  
Item No.84  
Ct. No.35  
dc.

**W.P.A. 12977 of 2025**

**Ganesh Chandra Ghorai  
@ Ganesh Chandra Ghorui  
versus  
The State of West Bengal & Ors.**

Mr. Md. Baharuzzaman,  
Ms. Anindita Chowdhury ... For the Petitioner.

Ms. Sumita Shaw,  
Mr. Soumen Chatterjee ... 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 fact that  
in spite of title suit being T.S. No.12 of 2012  
pending before the jurisdictional civil court wherein  
an order of *status quo* was passed in respect of the  
nature, character and possession of the property,  
the private respondents violating the same has  
been digging a pond and stacked materials for  
construction. To that effect, information was  
furnished with the local police authorities. However,  
the local police authorities in their report have  
factually disputed any issue relating to digging of  
pond and/or gathering of materials for  
construction.

On the other hand, police authorities have drawn up proceedings under Section 126 of BNSS for maintaining peace and tranquility.

I have considered the submissions of the learned advocate for the petitioner and the background of the case which emanates from a civil dispute. Having regard to the same, if the petitioner is of the view that there have been offences which have been committed at the behest of the private respondents under the present set of circumstances, petitioner is directed to approach the jurisdictional civil and criminal court by way of invoking the statutory remedy.

In the meantime, the police authorities would continue their surveillance and ensure that no untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 12977 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.)**