

D/L 21
24.01.2025
Bpg.
ct.no.35

W.P.A.15250 of 2024

**Mr. Akbar Sardar
Versus
The State of West Bengal & Ors.**

Mr. Baidurya Ghosal
Mr. Amit Bikram Mahata
Mr. Sahil Kabir.
...for the petitioner.

Mr. Amal Kr. Sen
Ms. AShima Das (Sil).
...for the State-respondents.

Mr. Md. Zeeshanun Zaman
Mr. S.A. Akhan.
...for the private respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains before this court that in
spite of informing the police station, no effective steps
have been taken. The primary grievance of the
petitioner is regarding the fishery being looted along
with the private respondents trying to change the
nature and character of the fishing canal for the
purpose of promoting.

Learned advocate appearing for the private
respondents opposes the contentions and submits
that Title Suit is pending and there has been an

injunction order. However, the petitioner has suppressed such fact in the writ petition.

Report has been submitted by the State. It reflects that both the petitioner and the private respondents are at loggerhead and to that effect learned advocate for the State has drawn the attention of the Court that number of criminal cases including Basanti P.S. Case No.392 of 2024 dated 01.05.2024 and Basanti P.S. Case No.547 of 2024 19.06.2024 are pending. Report also reflects that preliminary enquiry conducted by the police authorities reflects that the fishing canal has not been converted into any form of land for being used for a different purpose.

Having considered the police report, further interference is uncalled for as the civil court is in seisin of the matter. However, the police authorities would keep a strict vigil and ensure that no breach of the peace takes place or any untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, WPA 15250 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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.)