

Sl.No. 15.07.2025
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DL
Court
No. 35
G.S.Das

WPA 13887 of 2025

Prakash Mondal
-Vs-
The State of West Bengal & Ors.

Mr. Haradhan Mondal
... for the petitioner(s)
Mr. Wasim Ahmed
Mr. Md. Ziaur Rahaman
... for the State-respondent(s)

The petitioner is aggrieved by the inaction of the police authorities as, inspite of the Block Development Officer (BDO) passing necessary directions, no steps have been taken.

The petitioner claims that under the *Pradhanmantri Awas Yojana*, his father was constructing a house and after demise of his father, his mother had been constructing the house. But, there has been interference, as such, the same could not be completed. The petitioner is *now* interested to complete the said construction.

Learned advocate for the State submits that there has been dispute between the petitioner and the private respondents, as such, they have drawn up a proceeding under Sections 126/135 of the BNSS.

The records of the case also reflect that earlier a writ petition was preferred being WPA 12585 of 2021 wherein by an order dated 01.09.2021 direction was passed upon the BDO to pass reasoned order and communicate the same to the parties concerned.

Having considered that the BDO has complied with the order of the earlier writ court and the petitioner has now approached this court for police assistance in respect of the order passed by the BDO, I am of the view that it is for the BDO to implement its own order. This Court under Article 226 of the Constitution of India will not act as an executing

court of the order passed by the BDO.

However, the police authorities are directed to ensure that there should not be any breach of the peace and/or tranquility, they would also continue their surveillance as proceedings under the relevant provisions of the BNSS have already been drawn up by them.

With the aforesaid observations, WPA 13887 of 2025 is disposed of.

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

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.)

