

D/L 24
08.07.2025
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ct.no.35

W.P.A.14650 of 2025

**Nal Raja Mondal
Versus
State of West Bengal & Ors.**

Mr. Debabrata Saha Roy
Mr. Pingal Bhattacharyya
Mr. Rajdeep Sinha.
...for the petitioner.

Mr. Sirsanya Bandopadhyay
Mr. Akash Dutta.
...for the State-respondents.

Mr. Kajal Mukherjee
Mr. Bikash Chakraborty.
...for the respondent nos.5 to 13.

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

Petitioner has approached this Court being
aggrieved by the fact that in spite of the land
belonging to him and a sanction plan being granted,
it is at the behest of the private respondents who are
creating disturbance and interfering with the
construction, petitioner as such is unable to raise
such construction on his own land. To that effect,
information has been furnished to the police
authorities but the police authorities refused to
extend any sort of co-operation and/or protection.

Learned advocate for the private respondents on the other hand submits that the sanction plan which has been obtained is in gross violation and there has been encroachment for which the private respondents are raising their resistance.

State has submitted a report. Report reflects that there is a dispute and difference between the petitioner and the private respondents, as such, proceedings have been drawn up under Section 126 of the BNSS for maintaining peace and tranquility. Further for commission of non-cognizable offence, permission has been sought for from the learned CJM, Tamluk.

In view of the police authorities being aware regarding the nature of the dispute and difference already existing between the petitioner and the private respondents, I direct the police authorities to continue their surveillance and ensure that no untoward incident results because of the strained relationship existing between the parties. However, so far as the other issues are concerned relating to construction, it would be the wisdom of the petitioner, if so advised, to approach the jurisdictional civil court for appropriate remedy.

With the aforesaid observations, WPA 14650 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocates appearing for the parties.

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.)