

D/L 74
28.07.2025
ct.no.35
Kausik

W.P.A. 15280 of 2025

**Md. Jillar Rahaman Sk. & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Abdul Hamid Molla
Mr. Md. Abdul Halim
Ms. Nupur Chaudhuri

...for the Petitioner.

Ms. Manali Biswas
Mr. Mrinal Saha

...for the respondent nos. 7 & 8.

Ms. Runi Chakraborty
Mr. Aswini Kumar Bera

...for the State.

Learned advocate appearing for the petitioner is aggrieved by the fact that in spite of informing the Inspector-in-Charge, Domkal Police Station, no steps were taken and petitioner alleges of illegal, unlawful and forceful trespass into the property as well as the constructed part of the property at the behest of the private respondents.

State has submitted a report. Report reflects that a suit being Partition Suit No. 684 of 2024 is pending before the learned Civil Judge (Senior Division), 2nd Court, Berhampore. Police authorities are well aware regarding the ground

reality as they have drawn up proceedings under the relevant provisions of law. There has already been a scuffle as well as injuries being inflicted in respect of a fight between the petitioner and the private respondents for which Domkal PS Case No. 519/25 having been registered for investigation.

Be that as it may, so far as the complaint of the petitioner is concerned, the police authorities did not interfere with the same, as they found that a long standing civil dispute is existing. However, if the manner in which the private respondents have acted has violated and resulted in a cognizable offence, I am of the view having regard to the time which has already lapsed, petitioner would approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess and ascertain the circumstances and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations WPA 15280 of 2025 is disposed of.

Report so submitted 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.

(Tirthankar Ghosh, J.)