

D/L 64
28.07.2025
Bpg.
ct.no.35

W.P.A.15221 of 2025

**Bogdad Mondal
Versus
The State of West Bengal & Ors.**

Mr. Shamik Bagchi
Mr. Syed Murshid Alam
Mr. Subrata Ghosh
Mr. Nobilul Islam
Ms. Amrita Sen.
...for the petitioner.

Mr. Ansar Mondal
Ms. Amrita Panja Moulick
Ms. Jahanara Begum.
...for the State-respondents.

Mr. Samrat Bannerjee
Mr. Raja Roy.
...for the private respondent nos.5 to 9.

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

Learned advocate for the petitioner is aggrieved by the fact that in spite of an application under Section 175(3) of the BNSS having been preferred, petitioner is facing inconveniences at the behest of the private respondents.

Be that as it may, I find that M.P. Case No.339 of 2024 has been filed. There were directions on 13.12.2024, 07.02.2025 and 22.04.2025. Learned ACJM, Rampurhat, Birbhum is already in seisin of the issue. The report is being considered by the court.

Objections have been raised on behalf of the petitioner in respect of the contents of the report.

Having regard to the fact that learned ACJM, Rampurhat, Birbhum is already in seisin of the issue, I am of the view that until and unless the process before the learned ACJM, Rampurhat, Birbhum is exhausted, it would not be fit and proper to interfere in respect of the proceedings so pending. Prima facie, it reflects that there is a dispute and difference between the petitioner and the private respondents, police authorities as usual will oversee that no breach of the peace takes place.

With the aforesaid observations, WPA 15221 of 2025 is disposed of.

There will be no order as to costs.

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.)