

D/L 71
28.07.2025
ct.no.35
Kausik

W.P.A. 15271 of 2025

**Prashanta Baidya
Versus
The State of West Bengal & Ors.**

Mr. Nitai Ch. Saha
Mr. Abhijit Ch. Majumder
Ms. Nisha Agarwal

...for the Petitioner.

Mr. Avirup Chatterjee
Mr. Rishav Das

...for the respondent nos. 4 to 6.

Mr. Joydeep Banerjee
Mr. Bhakti Prasad Das

...for the State.

Affidavit of service filed be kept with the
record.

Petitioner has approached this Court as the
representation which was advanced on or about
30.06.2025 was not acted upon.

Learned advocate appearing for the
petitioner submits that because of the private
respondents, the petitioner and his family members
are unable to stay at the address which is the
subject matter of dispute.

State has submitted a report. Report
reflects that petitioner happens to be FIR named
accused in connection with Diamond Harbour

Women PS Case No. 52/2024 wherein the provisions of POCSO Act was also incorporated because of the alleged offences so committed.

Police authorities have also conducted a local enquiry wherefrom it reflects that the writ petitioner has made several allegations to different authorities in respect of the private respondents having cheated him and not transferred the land in his favour.

Learned advocate appearing for the private respondents disputes and denies the contentions and submits that the petitioner is trying to shield himself by invoking the authority vested upon the police authorities in law.

I have considered the submissions of the respective parties and I find there are two issues involved. One, a criminal case already being registered. Another, a dispute relating to land.

Having regard to the fact that the police authorities have already taken steps regarding the criminal case so far as the contentions of the petitioner is concerned, the dispute and difference having been assessed by the police authorities arises out of a land/property dispute, I am of the view that the police authorities are not vested with powers to address the same.

Petitioner will approach the jurisdictional criminal or civil court for necessary reliefs. Police authorities would continue their surveillance and ensure that no breach of the peace and/or tranquility takes place.

With the aforesaid observations WPA 15271 of 2025 is disposed of.

Report submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)