

28.07.2025
Court No. 35
D/L. No.89
Rakib

W.P.A. 15357 of 2025

**Nemai Krishna Ghosh
VS
The State of West Bengal & Ors.**

Mr. D. Banerjee
Mr. T. Khan
Mr. P. Hajra

...for the Petitioner.

Mr. Joydip Banerjee
Mr. Chandra Sekhar Bag

...for the State.

Mr. Atanu Biswas
Mr. Mrinal Saha

...for the respondent no. 4 & 6.

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

Petitioner is aggrieved by the fact that in spite of
civil case pending before the jurisdictional Civil Court, the
private respondents are adamant for carrying out their
illegal activities and trying to obstruct the free egress and
ingress of the petitioner.

On the other hand learned advocate appearing for
the private respondent nos. 4 and 6 submits that one of
the respondent died long ago and in order to exhaust the
powers of the police authorities in an illegal manner the
petitioner has invoked the jurisdiction of this Court.

State has submitted a report. Report reflects that
over the complaint of the petitioner Monteswar PS case
no. 565/2023 was registered for investigation and the
same concluded in charge-sheet. Subsequently, again on
the complaint of the petitioner's mother another case

being Monteswar PS case no. 538/2024 being registered for investigation. Police authorities have already drawn up proceedings under Section 107/116 of the Cr.P.C. for maintaining peace and tranquility. Title Suit no. 127/2021 is already pending.

Having considered that the police authorities are well aware regarding the nature of the dispute existing between the petitioner and the private respondents, I direct that the police authorities would continue their surveillance and ensure that no untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

So far as the right of the party for egress and ingress is concerned, since the Civil Court is already in seisin of the issue, petitioner would ventilate his grievance before the Civil Court.

With the aforesaid observations WPA 15357 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)