

D/L 24
31.07.2025
ct.no.35
Kausik

W.P.A. 15535 of 2025

**Janaki Sarkar & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Avishek Prasad
Mr. Sourodeep Singha

...for the Petitioner.

Mr. Gour Baran Sau

...for the respondent nos. 5, 7 to 11.

Mr. Jayanta Samanta
Ms. Richa Pramanik

...for the State.

Learned advocate appearing for the petitioner is aggrieved by the fact that although the civil court is in seisin of the issue by way of OC No. 44 of 2025, the private respondents, in gross violation of the directions of the civil court, had not only been disturbing or obstructing the petitioner but also threatening the petitioner.

Learned advocate for the private respondents is present and submits that respondent no. 6 has already expired. In spite of the same he has been made a party, as such the foundation of the case is without any truth.

State has submitted a report which reflects that a dispute is existing in respect of cultivation of

land. The civil court is in seisin of the issue relating to the possession. Police authorities apprehending breach of the peace have already drawn up proceedings under section 126 of the BNSS.

Having regard to the fact that the civil court is already in seisin of the issue for breach of the civil court's order, the petitioner would prefer an appropriate application before the learned Civil Court for necessary directions. So far as the issues relating to obstruction and/or threatening is concerned, police authorities have drawn up proceedings under section 126 of the BNSS. They would continue their surveillance and ensure that no untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

With the aforesaid observations WPA 15535 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.)