

29.07.2025
Court No. 35
D/L. No.15
Rakib

W.P.A. 15556 of 2025

**Manmatha Nayak
VS
The State of West Bengal & Ors.**

Mr. Bhaskar Ch. Manna
Ms. Munmun Seth
Ms. Moumita Biswas
...for the Petitioner.

Mr. Suman Sengupta
Mr. Kaustav Chatterjee
...for the State.

Mr. Arka Pratim Chowdhury
Mr. Aditya Kr. Sonar
Ms. Afreen Tarannum
Mr. Rajdeep Bhattacharya
...for respondent no.8.

Ms. Antara Biswas
...for respondent no.10.

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

Petitioner complains that he has been carrying out
business of fishery by using a tank which is being
resisted by the private respondents and in spite of
informing the police authorities no steps have been taken.

Learned advocate for the State contends that the
nature of the dispute is completely a private dispute
where police authorities have hardly any role to play
except overseeing relating to law and order.

Learned advocate for the private respondents
points out that earlier in respect of the selfsame subject
matter writ petition was preferred being WPA 4829 of
2019, wherein a Coordinate Bench was pleased to hold
that the subject dispute is absolutely civil in nature, as

such the petitioner was directed to approach the appropriate forum for the remedies prayed for.

Having considered that the issue was earlier considered by a Coordinate Bench, I am of the similar opinion that the dispute primarily is a civil dispute to be adjudicated by a Civil Court. So far as the police authorities are concerned they would in the circumstances oversee that no breach of the peace and/or tranquility takes place.

With the aforesaid observations WPA 15556 of 2025 is disposed of.

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.)