

Sl.No.

3

20.08.2025

Court
No. 35

G.S.Das

WPA 15864 of 2025

Panchu Charan Mondal

-Vs-

The State of West Bengal & Ors.

Mr. Sanjib Das
Mr. Pritom Banerjee
Mr. Ujjal Kr. Dinda

... for the Petitioner(s)

Mr. Prasanta Kr. Giri
Ms. Sucheta Banerjee

... for the State-Respondent(s)

Ms. Sonia Das

... for the respondent nos. 4 to 7

The petitioner is aggrieved by the fact that the private respondents have been attempting to grab his property forcefully. To that effect, there have been disputes on number of occasions.

The petitioner further complains that he was threatened and physically assaulted on 19.02.2025 and, again on 20th April, 2025. A General Diary Entry, to that effect, was recorded at Bakhrahat Outpost. However, no criminal case has been registered till date and, according to

the petitioner, he is feeling insecured.

Learned advocate for the private respondents submits that over the said plot of land, a title suit being TS 83 of 2016 is pending, which is disputed and denied by the learned advocate for the petitioner who contends that over a different plot of land there is a civil suit at the behest of the private respondents.

State has submitted a report which refers General Diary Entry; incident complained of; pendency of the civil suit as well as the proceeding being drawn up by the police authorities under Section 126 of the BNSS on or about 21.04.2025.

Having considered that the civil suit is existing between the parties and the principal issue involved relates to a land which has been made the subject-matter of the writ petition, I am of the view that the police authorities have hardly any role to involve themselves.

However, there has been allegation of threat and physical assault. If the petitioner has any material in his possession, he would approach the jurisdictional Magistrate under the relevant provisions of law. The learned Magistrate would, in such circumstances, assess as also ascertain regarding the genuinity of the accusations, thereafter, pass necessary orders as he/she deems fit and proper.

With the aforesaid observations, WPA 15864 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Copies of the report be handed over to both the parties.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

