

19.08.2025
Court No. 35
D/L. No.04
Rakib

W.P.A. 16304 of 2025

**Srabani Banerjee
VS
The State of West Bengal & Ors.**

Mr. Aditya Sen
...for the Petitioner.
Mr. Suman Sengupta, Sr. Govt. Adv,
Ms. Mitali Mukherjee
...for the State.
Mr. Palash Mukherjee
...for Respondent no. 5&6.

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

Learned advocate appearing for the petitioner is aggrieved by the fact that while the petitioner was installing a grill at a window, she was stopped at the behest of the private respondents and to that effect she informed the police station however, the police station refused to take any steps. Petitioner complained that the private respondents had been threatening her, as such she preferred an application under Section 163(2) of the BNSS, however, in spite of the same no steps were taken by the police authorities.

Learned advocate for the private respondents submit that there is a dispute relating to the land in issue. The whole of the process of informing the police authorities and exercising the powers of the police authorities arose because of complaint lodged with the Municipal Authorities for illegal construction. There are

orders by the Municipal Authorities with regard to demolition of the property.

State has submitted a report. Report reflects that proceeding under Section 126 of BNSS has been instituted.

I have considered the contentions of each of the parties and I find that absolutely a civil dispute is existing between the petitioner and the private respondents. So far as the police authorities are concerned they are also well aware regarding the nature of the dispute existing and have restrained themselves from interfering with the issues relating to the dispute.

Police authorities are directed to see that there is no violation of law and order. So far as the other issues are concerned the same may be adjudicated, if any of the parties approached the Civil Court.

With the aforesaid observations WPA 16304 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.)