

19.08.2025
Court No. 35
D/L. No.05
Rakib

W.P.A. 16309 of 2025

**The Trust Association of Northern
Evangelical Lutheran Church &
Anr.
VS
The State of West Bengal & Ors.**

Mr. Raja Saha
Mr. Sujit Sankar Koley
Mr. Debyendu Sengupta
Mr. Pradip Das
Mr. Sanjay Mukherjee
Ms. Bahuidipa Roy
...for the Petitioners.

Mr. Suman Dey
Ms. Keya Sutradhar
...for the State.

Mr. Chhitopriya Ghosh
Mr. Ujjwal K. Sarkar
...for Respondent nos. 10 to 20.

Petitioner sent a complaint to the Officer-in-Charge of Gazole Police Station, Malda Police Station and Inspector-in-Charge of English Bazar Police Station as also Banshihari Police Station. The subject matter of the complaint related to illegal and unlawful activities which are hampering the religious work and management of the various Churches/Congregations of Northern Evangelical Lutheran Church and the private respondents are attempting to ransack and destroy the Church's properties situated at the District of Malda and Dakshin Dinajpur.

Learned advocate appearing for the private respondents on the other hand submits that a Civil Suit is pending before the High Court of Jharkhand at Ranchi being L.P.A. No. 79 of 1992 with L.P.A. No. 80 of 1992.

According to the private respondents the petitioners are defendants/respondents in the said suit.

Both the petitioners and the private respondents claimed to have title over the properties which are subject matter of the complaint and the respondents in particular claim themselves to be Santhal Mission of Northern Church (SMNC).

Learned advocate appearing for the State has submitted reports of the respective police stations as also the steps taken by the Sub-Divisional Officer of Malda Sadar. The subject matter before the Sub-Divisional Officer related to the devotees of two groups one being Northern Evangelical Lutheran Church (NELC – petitioners) and Santhal Mission of Northern Church (SMNC – respondents) at Rangamatia (Nimasarai), Church , Old Malda.

So far as the police are concerned some of the police stations have drawn up proceedings under Section 126 of the BNSS.

In case there are issues relating to violation of any law and order, so far as the religious occasions are concerned, the police authorities would ensure that there is no breach of the peace. So far as the other issues relating to the properties are concerned, since a Civil Court is in seisin of the issue the police authorities will not interfere with the same. The police authorities would

also oversee that no destruction or any circumstances are created at the behest of any of the parties which would result in the situation blowing out of proportion. In such circumstances, police authorities with firm hand ensure that peace and tranquility are maintained.

With the aforesaid observations WPA 16309 of 2025 is disposed of.

Reports submitted by the State be kept with the record.

Copies of the report be handed over to both the parties.

Photostat copy of the documents submitted by the learned advocate appearing for the private respondents 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.)