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jdt. 01.12.2025
jb.

WPA 16914 of 2023
(Moloy Bhowmick vs. State of West Bengal & Ors.)

Mr. Haridas Das
.... For the Petitioner
Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
.... For the State
Mr. Biswajit Ghosh
Mr. Soumya Nag
Mr. Mayukh Majumder
.... For the Respondent no. 9

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

Learned counsel for the petitioner submits that the petitioner and the private respondent nos. 5 to 8 are brothers and sisters and co-sharers in respect of a rented shop room wherein garment business is being run. The petitioner alleges that the private respondent nos. 5 to 8 have transferred the tenancy of the shop room to private respondent no. 9 behind his back and without his consent. The articles of business lying in the said shop room have also been stolen by the private respondents. The petitioner lodged complaints before the police authority in this regard which have not been acted upon.

Learned counsels for the State and the private respondents submit that two title suits are pending before the learned civil Court, one filed by the petitioner against the landlord and the other by the landlord against the petitioner.

Be that as it may, since the petitioner alleges that complaints lodged before the police authority have not been

acted upon, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

In the meantime, the police authority shall keep strict vigil over the area in order to avoid any untoward incident and to maintain law and order.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)