

11.08.2025
Item No.14
Ct. No.35
dc.

W.P.A. 16985 of 2025

**Dharmadas Biswas
versus
The State of West Bengal & Ors.**

Mr. Sobhan Majumder ... For the Petitioner.

Mr. Supriyo Chattopadhyay,
Ms. Sayantanee Bhattacharjee ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocates appearing for the petitioner.

The petitioner is aggrieved by the fact that there has been an attempt to encroach upon the property of the petitioner by the private respondent nos. 6 and 7. Petitioner claims that there is a decree of the civil court and the private respondents are trying to encroach upon the property without any authority of law.

State has submitted a report which reflects that the dispute is completely a civil dispute where there is hardly any scope for the police authorities to interfere.

Petitioner will approach the civil court for necessary remedies, if there has been breach of any order or decree of the civil court, there is hardly any scope under Article 226 of the Constitution of India to invoke the extraordinary powers. Police

authorities, however, would oversee that there is no violation of law and order and in case situation so demands, police authorities would only restrict themselves for maintaining law and order.

With the aforesaid observations, the writ petition being WPA 16985 of 2025 is disposed of.

There will be no order as to costs.

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.)