

D/L 35
05.08.2025
ct.no.35
Kausik

W.P.A. 17301 of 2025

**Hemant Kumar Badlani
Versus
The State of West Bengal & Ors.**

Mr. Sunny Nandy
Mr. Anand Jha
Ms. Yamini Tiwari

...for the Petitioner.

Mr. Suman Sengupta, Sr. Govt. Adv.
Mr. Sambuddha Dutta

...for the State.

Petitioner is aggrieved by the fact that in spite of informing the police authorities for assistance to construct the boundary wall at the scheduled property, no steps have been taken, neither any aid and assistance has been provided by the police authorities.

State has submitted a report which reflects that initially informations were furnished by the petitioner pursuant to which Nabadwip PS Case No. 418/25 was registered for investigation. In the said case, on investigation, charge sheet has been submitted before the jurisdictional Court.

Prima facie, the petitioner is faced with inconveniences as is reflected from the police report.

However, the petitioner's main grievance is that he is unable to repair and construct his boundary wall.

Having considered that already a police case is pending being Nabadwip PS Case No. 418/25 before the learned jurisdictional Court, I am of the opinion that a dispute and difference exists between the petitioner and certain miscreants who have been implicated in the said case.

So far as the prayer regarding repairing of the boundary wall is concerned, the police authorities cannot act without a direction from an appropriate civil court. However, police authorities would ensure that since a criminal case is pending, no untoward incident results because of the subject matter of the criminal case for which the case has been registered and a final opinion has been arrived at by the police authorities.

With the aforesaid observations WPA 17301 of 2025 is disposed of.

Report submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)