

16.09.2025
Item No.64
Ct. No.35
dc.

W.P.A. 20991 of 2025

**Sri Tapas Kumar Gangopadhyay & Ors.
versus
The State of West Bengal & Ors.**

Mr. Kamal Krishna Pathak,
Mr. Kaustav Seal,
Mr. Souvik Maji ... For the Petitioners.

Mr. Saikat Chatterjee,
Mr. Himanshu Ghosh ... For the State.

Mr. Aveek Das,
Ms. Sanjukta Das,
Mr. Amit Chowdhury ... For the Respondent Nos.4 & 5.

Report submitted by the learned advocate
appearing for the State be kept with the record.

Learned advocate appearing for the
petitioners has drawn the attention of the Court to
the order passed by the learned Civil Judge (Senior
Division), 1st Court, Krishnanagar in T.S. No. 338 of
2025. Learned advocate submits that specifically
there has been a direction by the learned civil
Judge for not changing the nature and character of
the schedule property being A & B as also not to
encroach upon the same and disturb the
possession of the plaintiff.

It has been complained on behalf of the
petitioners that in spite of such direction being
passed, the respondent no.4 is raising a high-rise
by way of encroaching the property of the
petitioners. In spite of informing the incident to the
police authorities, no steps have been taken.

On the other hand, learned advocate appearing for the private respondent nos. 4 and 5 submits that by way of obtaining a sanction plan, only the construction is being raised.

State has submitted a report which reflects that on inspection, partial construction activity was visible. However, it was informed that by no means, the private respondents should encroach or exceed the boundary and disturb the adjoining lands.

Having considered that the police authorities are aware regarding the dispute existing between the petitioners and the private respondents, I direct that in case the petitioners are faced with inconveniences so far as the property is concerned and there are law and order violation, in that case police authorities would ensure that the same is not blown out of proportion. Further it is directed that over the same issue, if there is any cognizable offence taking place, police authorities would resist the same in accordance with law.

With the aforesaid observations, the writ petition being WPA 20991 of 2025 is disposed of.

A copy of the report be handed over to the learned advocates appearing for the petitioners and the respondent nos. 4 and 5.

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.)