

D/L
Item No. 17
12.08.2025
KOLE
265777

WPA 17674 of 2025

**Nikhil Chandra Das & Anr.
-Vs.-
The State of West Bengal & Ors.**

Mr. Subhajit Chowdhury,
...for the petitioners.

Mr. Debapriya Chatterjee,
Ms. S. Banerjee,
.... For the State.

Mr. Tanmoy Biswas,
Mr. Amit Roy,
Ms. Antara Mukherjee,
.... For the respondent nos. 6 and 7.

Affidavit of service filed by the petitioner be taken on record.

Learned Advocate appearing for the petitioners submits that the petitioners are aggrieved by the fact that in spite of directions passed in TS Case No. 148 of 2024, there has been violation of the order at the behest of the private respondents and to that effect in spite of informing the police authorities, no steps have been taken.

Learned Advocate for the petitioners also drew attention of the court to the order dated 24.07.2025 in TS No. 148 of 2024.

On the other hand, learned Advocate for the private respondent nos. 6 and 7 denies and disputes the contentions and submits that the basis of invoking Article 226 of the Constitution of India is without any foundation since the civil

suit is already pending and Civil Court is aware regarding the nature of the dispute.

State has submitted a report. The report reflects that proceedings have been drawn up under Sections 126/135 of the BNSS.

Having regard to the fact that in case there is any breach of civil court's order, it would be for the concerned litigant to approach the concerned civil court for addressing their grievances.

There is a judicial order which does not call for interference by this Court. However, as the Police Authorities have drawn up cases under Sections 126/135 of the BNSS, the Police Authorities would oversee that there is no violation of the law and order and would take steps in case the same is blown out of proportion.

With the aforesaid observations, WPA No. 17674 of 2025 stands disposed of.

Report submitted by the State be kept with the records.

Copy of the report be handed over to the learned Advocates appearing for the other parties.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Tirthankar Ghosh, J.)