

Sl.No.

7

20.08.2025

Court
No. 35

G.S.Das

WPA 17561 of 2025

Ashok Santra & Anr.

-Vs-

The State of West Bengal & Ors.

Ms. Pampa Dey Dhabal
Ms. Sangita Banerjee

... for the Petitioner(s)

Mr. Jayanta Samanta, Id. Jr. Govt. Adv.
Ms. Paromita Malakar

... for the State-Respondent(s)

Mr. Rabindranath Mahato
Mr. Aritra Shankar Ray

... for the respondent no. 8

The petitioners contend that they are the common villagers who have been carrying out pisciculture at the village water-body which is being resisted by the respondent no.8. To that effect, information was furnished to the Officer-in-charge of Joypur Police Station along with the other administrative authorities, but no steps have been taken.

Learned advocate for the private respondents submits that a title suit being TS 18 of 2020 is pending before the learned Civil Judge (Sr. Divn.), Bishnupur,

Bankura wherein the learned civil court was pleased to pass a temporary injunction for not creating any disturbance in the enjoyment and possession of the property.

State has submitted a report which reflects that a proceeding under Section 126 of the BNSS has been drawn up by the police authorities, as such the police authorities are well acquainted with the nature of the dispute.

Having regard to the fact that the civil court is already *in seisin* of the issues and there is an ad interim order of injunction, until and unless the same is altered, the petitioners cannot establish their rights for carrying out their pisciculture.

However, the petitioner would be at liberty approach the civil court for necessary relief as the civil court is already *in seisin* of the issues.

Since the police authorities have already drawn up a proceeding under Section 126 of the BNSS, they would only interfere if there is violation of any law and order.

With the aforesaid observations, WPA 17561 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. A copy of the report without annexure be handed over to both the parties.

Photostat copy of the order of the learned civil court submitted by the learned advocate for the respondent no.8 be also kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

