

Sl.No.
19 19.05.2025
Court
No. 35
G.S.Das

WPA 17749 of 2023

Mohanta Dholey -Vs- The State of West Bengal & Ors.

Mr. Kajal Ray
Mr. Suman Nandi
... for the Petitioner(s)
Mr. Tarak Karan
... for the State-respondent(s)
Mr. Subhendu Bandopadhyay
Mr. Arka Mondal
... for the private respondent(s)

The petitioner is aggrieved by the fact that his representation which was furnished on 10th July, 2023 with the Officer-in-charge of Polba Police Station was not acted upon. Consequently, the petitioner could not repair his boundary wall, as, according to the petitioner, his masons were subjected to threat at the behest of the adjacent neighbours who happen to be the private respondents in the present writ petition.

Learned advocate for the private respondent nos. 4 and 5 submits that a

title suit has already been filed being T.S. 478 of 2023 which is pending before the learned Civil Judge (Jr. Divn.), 2nd Court, Hooghly Sadar (I/C). On 22.09.2025 date has been fixed for hearing of the injunction application.

State has submitted a report which reflects that a proceedings under Section 107/116(C) of the Cr.P.C. has been drawn up.

Having regard to the fact that the learned civil court is already *in seisin* of the issues, the police authorities, at this stage, would only ensure that no breach of the peace and/or tranquility takes place as also no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 17749 of 2023 is disposed of.

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

Report so submitted be 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.)