

12.08.2025
Court No. 35
D/L. No.35
Rakib

W.P.A. 18070 of 2025

**Manabendra Dutta
VS
The State of West Bengal & Ors.**

Ms. Pampa Dey (Dhabal)
...for the Petitioner
Mrs. Munmun Tewary
Mrs. Kakali Naskar
...for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that the private respondents being office bearers of local club are trying to grab the land of the petitioner and obstructing to cultivate the suit land. It has been further contended that there has been continuous interference at the behest of the private respondents.

State has submitted a report. Report reflects that an enquiry was conducted and it was found that none are in possession of the suit plot, only children are playing at the said plot of land. Even no structure is available at the suit plot referred to. However, there has been a hot altercation between the petitioner and the private respondents over the said issue and proceedings have been drawn under Section 126 of the BNSS.

In view of the provisions of Section 126 of the BNSS having been invoked, police authorities would oversee that there is no violation of law and order and in case there is any violation of law and order appropriate

application be filed by the police authorities before the learned Executive Magistrate in seisin of the proceedings relating to Section 126 of the BNSS for imposing conditions upon the person breaching the peace and tranquility.

With the aforesaid observations WPA 18070 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)