

18.08.2025
Court No. 35
D/L. No.10
Rakib

W.P.A. 17926 of 2025

**Khayrul Alam Khan & Ors.
VS
The State of West Bengal & Ors.**

Ms. Bina Baidya Nath
Ms. Khushi Mollick
...for the Petitioners.
Mr. Sadhan Kr. Halder
Mr. Debattam Das
...for the State.

Petitioners have lastly complained to the Superintendent of Police, Diamond Harbour Police District on or about 19.07.2025 regarding the illegal activities which are being engineered private respondents.

State has submitted a report. Report reflects that there are continuous criminal cases over the issues relating to shop room, business establishment and the properties which are Wakf properties. To that effect whenever the police authorities are being informed, proceedings have been drawn up under Section 126 of the BNSS, also a case was registered being Usthi PS case no. 327/2020 and on conclusion of investigation charge-sheet has already been submitted.

Having considered that steps have been taken by the police authorities as and when reported but the accusations of the petitioners presently are for fresh incidents. Accordingly, I direct the petitioners to approach the jurisdictional Magistrate under the relevant provisions of law, learned Magistrate would assess and ascertain

regarding the nature of the accusations and thereafter pass necessary directions as he deems fit and proper.

Petitioners will also be at liberty to approach the Wakf Board for necessary reliefs. If there are directions from Principal Officer dealing with the Wakf Estate, in that case police authorities would ensure that in no manner the Wakf property is not affected.

With the aforesaid observations WPA 17926 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 petitioners.

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.)