

12.08.2025
Court No. 35
D/L. No.41
Rakib

W.P.A. 18203 of 2025

Ashok Shaw
VS
The State of West Bengal & Ors.

Mr. Gouraga Kr. Das
Mr. Kail Sahoo
Ms. Poulami Dutta
...for the Petitioner
Mr. Tulsi Das Roy
Mr. Priyabrata Das
...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 are trying to encroach the property of the petitioner obstructing them from cultivation and in spite of informing the police authorities for enforcing the direction of the learned Civil Judge (Senior Division), 1st Court, Baruipur in T.S. 219/25, no steps are being taken by the police authorities.

Learned advocate for the State has submitted a report. Report reflects that a long standing dispute is existing and the Civil Court is in seisin of the issue. It has been further contended that the proceedings under Section 126/135(3) of the BNSS have been drawn up against the writ petitioner and the private respondents.

Having considered the nature of the dispute, I am of the view that in case there are violation of the Civil Court order, it would be for the petitioner to bring to the notice of the Civil Court regarding the breach of the said

order. So far as the police authorities are concerned they would interfere only in case there is violation of law and order.

With the aforesaid observations WPA 18203 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.)