

20.08.2025
Item No.18
Ct. No.35
dc.

W.P.A. 18411 of 2025

Sadik Ali Laskar
versus
The State of West Bengal & Ors.

Mr. Rwitendra Banerjee,
Mr. Sandip Kundu ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. K. M. Hossain ... For the State.

Mr. Pinaki Bhattacharyya,
Mr. Amartya Mohan Bhattacharyya
... For the Respondent No.5.

Mr. Aritra Roy Chowdhury ... For the Respondent No.7.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.
A copy of the report be handed over to the learned
advocates appearing for the petitioner and the
private respondents.

Petitioner apprehends that he may be
dispossessed from his possession at the behest of
the private respondent no.5, although he is
protected by an order passed in T.S. No. 763 of
2021. The grievance of the petitioner against the
police authorities is that they are aiding the private
respondent no.5 in carrying out his illegal design of
encroaching the property on which the business is
being carried out by the petitioner.

Learned advocate appearing for the private respondent no.5 denies and disputes the contentions of the petitioner.

Learned advocate appearing for the private respondent no.7 supports and adopts the submissions advanced on behalf of the petitioner.

Learned advocate appearing for the State submits that the police authorities have never interfered with the business as is contended and have always taken steps as and when called for. There are two separate cases. One is Rajabagan P.S. Case No. 1 dated 02.01.2021 which was initiated at the behest of the private respondent no.5 and another is Rajabagan P.S. Case No. 37 dated 25.02.2021 which was initiated at the behest of the father of the petitioner.

Prima facie, it reflects that a long standing dispute is existing between the petitioner and the private respondent no.5. Criminal cases as well as a civil case are also pending between the petitioner and the private respondent no.5. Having considered that two statutory courts are in seisin of the dispute, in case there is interference with the business of the petitioner, petitioner will bring it to the notice of the jurisdictional criminal court regarding the interference of the accused persons.

So far as the police authorities are concerned, they would definitely interfere, if there is violation of

law and order. In the alternative, without a direction from a court of law, they would not interfere in respect of issues of both the parties.

With the aforesaid observations, the writ petition being WPA 18411 of 2025 is disposed of.

There will be no order as to costs.

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.)