

21.08.2025

Item No.6

Ct. No.35

dc.

W.P.A. 18656 of 2025

**Somesh Kanti Sengupta
versus
The State of West Bengal & Ors.**

Mr. Debajyoti Deb,
Ms. Somdyuti Parekh,
Mr. Harshawardhan Kumar Jha ... For the Petitioner.

Mr. Dipanjan Datta,
Ms. Vaswati Chakraborty ... For the State.

Mr. Souvik Sen,
Mr. Sumanta Ganguly ... For the Respondent No.5.

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 respondent no.5.

Petitioner has approached this Court as he claims that he being the power of attorney holder is being resisted from constructing boundary wall. It has been alleged that the private respondent no.5 with the aid of local miscreants is causing obstruction over the said property.

Learned advocate appearing for the private respondent no.5, on the other hand, submits that so far as the documents relating to the property which has been enclosed in the writ petition are concerned, the same are questionable.

State has submitted a report which reflects that the police authorities are aware regarding the dispute between the private respondent no.5 and that of the present petitioner being the attorney holder of one Alpana Saha. There is a caveat also pending before the learned Civil Judge (Sr. Division) and the learned Civil Judge (Jr. Division) filed by the petitioner against the private respondent no.5. Police authorities have also drawn up proceedings under Section 126 of BNSS.

Having regard to the fact that proceedings under Section 126 of BNSS have been drawn up, I direct the police authorities to ensure that there is no violation of law and order.

With the aforesaid observations, the writ petition being WPA 18656 of 2025 is disposed of.

Pending connected application, if any, is consequently 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.)