

D/L 46
28.08.2025
ct.no.35
Kausik

W.P.A. 19988 of 2025

**Sk. Kibriya & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Ashok Pandey
Mr. Sudipta N. Ghosh

...for the petitioner.

Mr. Diptomoy Talukder
Mr. T. Talukder
Mr. D. Ghosh

...for the respondent no. 5.

Mr. Sirsanya Bandopadhyay, Ld. Sr. St. Counsel
Mrs. Deboleena Ghosh

...for the State.

Petitioners are aggrieved by the fact that certain police officials being hand in gloves with the developers are trying to evict the petitioners. To that effect, information was furnished with Dankuni Police Station on or about 04.08.2025.

Learned advocate for the private respondent appearing for the developers denies and disputes the contents of the writ petition.

Mr. Bandopadhyay, learned advocate appearing on behalf of the State submits that the accusations are against certain police officials who have not been made party in the writ petition and there are accusations also which have been received

by the police authorities which reveal that one flat is being claimed by another individual.

I have considered the submissions of the respective parties and I find that the main accusation of the petitioner is the developer being hand in gloves with certain police officials of Dankuni Police Station.

In view of the statutory provisions of Section 175(4) of the BNSS, certain procedures are to be complied before taking any action so far as the public servants are concerned.

Having regard to the same, I direct the petitioner to approach the jurisdictional Magistrate under the aforesaid relevant provisions. Learned Magistrate will assess and ascertain regarding the genuinity of the allegations and pass necessary directions as he deems fit and proper.

In view of the agony and anxiety expressed by the petitioners, police authorities however would ensure that there is no violation of law and order.

With the aforesaid observations WPA 19988 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)