

D/L 19
03.09.2025
Bpg.
ct.no.35

W.P.A.19796 of 2025

**Jay Gopal Halder
Versus
The State of West Bengal & ors.**

Mr. Falguni Bandyapadhyay
Mr. Jagadish Chandra Halder.
...for the petitioner.

Mr. Somnath Ganguly
Ms. Pratiti Das.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains that he purchased the
property and the private respondents with a design to
encroach upon the property of the petitioner
constructed a temporary tea stall. The petitioner
protested against the act and the action of the private
respondents when they were threatened of dire
consequences.

State has submitted a report. Report reflects
that a tea stall is present made of bamboo and plastic
sheet which is beside the Uttarabad to Mandirghat
metal road which belongs to PWD. In between the
land of the petitioner and the temporary structure
there is 30 feet wide Nayanjuli. In order to prevent
any breach of the peace, police authorities have

already drawn up proceedings under Section 126 of the BNSS.

In view of the present situation prevailing, if the petitioner is facing any inconveniences while entering his property or enjoying the property, petitioner will inform Dholahat Police Station and the police authorities would in such case ensure that no obstruction/resistance is created by any individual for enjoying the property which has been purchased by the petitioner.

With the aforesaid observations, WPA 19796 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)