

jdt. 07.11.2025
jb.

WPA 23737 of 2025
(Md. Toyeb Ali Laskar & Anr. vs. State of West Bengal & Ors.)

Mr. Manoranjan Jana
.... **For the Petitioners**
Mr. Binoy Kr. Das
Mr. Swapan Kr. Pal
.... **For the State**
Mr. Tapan Coomer Dey
Ms. Shreya Chatterjee
.... **For the Respondent nos. 7-8**

Affidavit of service filed by the petitioners and report submitted by the State are taken on record.

It is submitted on behalf of the petitioners that the private respondents are restraining the petitioners from raising construction in a portion of L R. plot no. 499 comprising 2 decimals in Khaitan no. 4231, Mouza-Benipur, J. L. no. 144, P.S. Magrahat despite the petitioners having obtained necessary sanctioned plan for such construction.

It appears that title suit has been filed by the private respondents in respect of L. R. Dag no. 500 wherein an order of ad interim injunction has been granted in their favour. However, since the present application pertains to plot no. 499 the title suit has no bearing upon the application.

Two separate proceedings under Section 163 of the BNSS were drawn up by the learned Executive Magistrate, Diamond Harbour pursuant to applications filed by the petitioners and the private respondents and similar orders have been passed in both the matters.

The petitioners have lodged complaint before the concerned police authority on 5th May, 2025 seeking

assistance to raise construction in the plot. The petitioners submit that the complaint has not been taken care of by the police authority.

In view of the above, the Officer in Charge, Magrahat police station being the 2nd respondent herein is directed to consider the complaint lodged by the petitioner dated 5th May, 2025 and take necessary steps in accordance with law. The petitioners shall produce all the relevant documents pertaining to the complaint before the police authority at the earliest.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)