

December 8, 2025

(4) ARDR

WPA 24224 of 2025

Standard Commerce Private Limited

Vs.

The State of West Bengal & ors.

Adv. Md. Saiful Rahaman,

... for the petitioner.

Adv. Nikhil Gupta (through VC),

...for the State.

Affidavit of service filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that he has purchased the property in question which is an old property and intends to raise construction therein by demolishing the existing structure. A civil suit is pending between the others in respect of some portion of the property which are beyond the portion purchased by the petitioner. The petitioner alleges that private respondents are restraining him from demolishing the structure in the property for which he is unable to raise construction therein. Complaint lodged by the petitioner before the police authority has not been heeded to.

Learned counsel for the State submits that the dispute pertains to construction and demolition of a property which needs to be dealt with by the appropriate forum.

Upon considering the submission made on behalf of the parties, this Court is inclined to hold that since the petitioner alleges obstruction by private respondents in demolishing the old structure in his property and

constructing a fresh structure thereon, the petitioner is at liberty to approach the appropriate forum for redressal of his grievance. Since the petitioner also alleges that the police authority is not taking steps in respect of the complaint lodged by him, the petitioner is also at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal.

With the above observation and direction, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)