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jdt. 16.12.2025
jb.

WPA 27276 of 2025
(Md. Sirajul Islam vs. State of West Bengal & Ors.)

Mr. Manoj Kr. Roy
Mr. Sudipta Sarkar
.... For the Petitioner
Mr. Manas Kundu
Mr. Kinkar Kr. Bhattacharyya
.... For the State

Supplementary affidavit filed by the petitioner and the report submitted by the State are taken on record.

The petitioner alleges that the complaint lodged by him on 15th November, 2025 before the police authority has not been considered. Also, the private respondents are interfering with his peaceful possession of the shop room operated by him and are snatching money derived from the business. The petitioner seeks police protection.

Denying the allegations made by the petitioner, learned counsel for the private respondents submits that the property in question was gifted to the private respondents by their mother and the shop in the said property was jointly operated by the petitioner and the private respondents.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that in the event the petitioner is aggrieved by the fact that the police authority has not considered the complaint

filed by him, he is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS (***Aleque Padamsee and others vs. Union of India and others*** reported in ***(2007) 6 Supreme Court Cases 171***).

In the meantime, the police authority is directed to keep strict vigil over the area in order to avoid any untoward incident in view of the strained relationship between the parties.

The police authority shall render assistance/ protection to the petitioner as and when required.

The writ petition is accordingly disposed of.

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.)