

D/L - 21
10/04/2025
Court. No. 35
S.Kundu

WPA 27783 of 2024

Tapan Kumar Paul
Vs.
State of West Bengal & Ors.

Mr. Moniruzzaman,
Mr. Jahangir Badsha

...for the petitioner.

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thakdar

...for the respondent no. 9 to 12.

Mr. Suman Sengupta,
Mr. Sunatan Panja

...for the State.

Petitioner is aggrieved by the fact that he is unable to protect his property because of the illegal act and action of the private respondents, to that effect information was furnished before the police authorities and in spite of the same the private respondents are pursuing their act of disturbance, attempt to trespass and grab the property, when resisted for such illegal act, the petitioner has been subjected to assault, even then the police authority is not taking any steps.

Learned advocate for the State submits that already a civil suit is pending between the parties before the jurisdictional civil Court.

Mr. Sengupta, learned advocate for the State submits that as the civil Court is already in seisin of the

issue, it is not possible for the police authority to interfere in a civil dispute.

Be that as it may, the petitioner feels that the nature of offence complained of makes out a cognizable offence. The petitioner as such would be at liberty to approach the jurisdictional Court under Section 175 (3) of the BNSS. The learned jurisdictional Court will assess regarding the genuinity of the accusations and pass necessary directions.

So far as the police authorities are concerned they would ensure that there is no breach of the peace and/or tranquillity and/or any untoward incident resulting from the strained relationship existing between the parties.

With the aforesaid observations, the writ petition being WPA 27783 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)