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jdt. 21.01.2026
jb.

WPA 22877 of 2023
(Biswanath Shil vs. State of West Bengal & Ors.)

Mr. Sourav Chatterjee
Mr. Satadru Lahiri
.... For the Petitioner
Mr. Suman Ghosh
Mr. Sankha Prasad Roy
.... For the State
Maidul Islam Kayal
Noor Amin Sardar
.... For the Respondent nos. 5 and 6

Affidavit of service and supplementary affidavit filed by the petitioner and the report submitted by the State are taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that since the petitioner is a member of a rival political dispensation, the private respondents have been continuously torturing, assaulting and harassing him by demolishing his residential house, throwing garbage in front of his house and playing D.J. set beyond tolerable limits. Several complaints lodged by the petitioner before the police authority as well as the concerned Panchayat and Block Development Officer have yielded no result. The petitioner seeks protection.

Learned counsel for the private respondents denies and disputes the allegation made by the petitioner and submits that a Kali temple has been constructed beside the petitioner's house. No garbage is being thrown in front of the house and the private respondents undertake not to play any music beyond permissible limit.

Learned counsel for the State submits that there is a long standing dispute between the parties and several

proceedings have been initiated by the police pursuant to the complaints lodged by the petitioner. The private respondents have also been warned by the police not to disturb, assault or torture the petitioner in any manner whatsoever.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petitioner alleges assault, torture and several disturbances created by the private respondents on him and his family members, the police authority shall keep strict vigil in the area and continue regular patrolling at least once a day for three months from date. The police shall render necessary assistance/protection to the petitioner so that he is able to repair his residential house and shall ensure his safety and security. In the event the petitioner is aggrieved by the steps taken by the police authority pursuant to his complaint, he shall be at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

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.)