

February 24, 2026
(14) ARDR

WPA 26175 of 2025

Oyached
Vs.
The State of West Bengal & ors.

Adv. Abhishek Chakraborty,
Adv. Musaraf Alam Sk,
Adv. Sohil Ahmed Ansari,
...for the petitioner.

Adv. Rama Halder,
Adv. Asish Dutta,
...for the State.

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

The petitioner alleges non compliance of an order passed by the learned Executive Magistrate, Malda by the police authority. By the said order, the private respondents were directed to dismantle the unauthorised and unlawful structure in the pathway and were restrained from making any further unauthorised and unlawful construction on the schedule property or create any obstruction on the pathway used by the petitioner. The Investigating officer, Baishnabnagar Police Station was directed to ensure compliance of the said order.

Heard learned counsels for the parties.

Since the petitioner alleges illegal encroachment on public pathway, he is at liberty to take necessary steps before the appropriate forum.

In the meantime, police authority shall keep strict vigil in the area and shall ensure maintenance of peace and tranquility.

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.)