

Item-
15. 18-02-2026

sg Ct. 19

WPA 29332 of 2025

Lutfar RAhaman Molla
Versus
The State of West Bengal & Ors.

Mr. Debasis Sur
Mr. Himadri Ch Paul
Mr. Dilip Kumar Das
Mr. Aitava Chowdhury
...for the petitioner
Mr. Subrata Guha Biswas
Mr. Parikshit Goswami
...for the State

Affidavit of service filed in Court is taken on record.

The petitioner has approached this Court for issuance of a writ of mandamus commanding the respondent Police Authorities to permit the petitioner to stay in his dwelling house peacefully and to permit the petitioner to make construction on the plot of the petitioner without any further disturbance from the private respondents.

The petitioner claims to be the owner of a plot of land being LR Dag No. 72/706 through inheritance from his father. The petitioner alleges that the private respondents herein created obstruction at the time of construction of the boundary wall by the petitioner encircling his property.

The petitioner approached the Second Executive Magistrate at Alipore with an application under Section 163(2) BNSS, which was registered as MP Case No. 3930 of 2025 and an order was passed directing the Inspector-in-Charge of Maheshtala Police Station to see that no illegal encroachment is made by the opposite parties at the schedule property.

The learned Advocate appearing for the petitioner submits that after filing of the writ petition, the petitioner has been served with a copy of the summons in Title Suit No. 2089 of 2025 filed by the private respondents herein against the petitioner and others.

After some arguments, the learned Advocate appearing for the petitioner submits that the petitioner is not seeking any direction upon the respondent Police Authorities to permit the petitioner to allow him to make construction but the Police Authorities may be directed to maintain peace and tranquility at the locale.

Heard the leaned Advocates for the petitioner and the State.

It is the duty of the Police Authorities to maintain peace and tranquility within its jurisdiction. In view thereof, this writ petition stands disposed of by directing the Police Authorities to see that no breach of peace or tranquility takes place at the locale.

The report filed by the State in Court is taken on record.

The petitioner is left free to approach the learned Civil Court for redressal of his grievance insofar as the dispute pertains to the immovable property between the petitioner and the private respondents.

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

(Hiranmay Bhattacharyya, J.)