

**Criminal Motion No. 77 of 2025**  
**(C.N.R. - WBHG05-001415-2025)**

**Present: Smt. Ratna Roy**  
**(J.O. Code - WB00914)**

**Order No. 02 dated 04.08.2025**

Record is put up today for hearing of stay application.

Ld. Lawyer for the petitioner moved application for stay.

Heard the Ld. Lawyer for the petitioner. Perused the revisional application, application for stay and certified copy of impugned order. Considered.

Ld. Advocate for the petitioner submitted that the petitioner is the owner of 'dokan-ghar' property lying at settlement plot no. 526, measuring 1 satak under L.R no. 1144, situated at Mouza-Jangipara. The petitioner is running his business from the said shop room by obtaining trade license since 2020. That the shop room has tin shed. The petitioner after obtaining sanctioned plan from the Gram Panchayet, Jangipara, is only changing the tin shed of his shop room. He had already stocked cement, sand and other building material because of the order of the Ld. S.D.E.M. The construction work has been stopped. If the order of Ld. S.D.E.M is not stayed, the building materials will get spoiled. Ld. Advocate for the petitioner further submitted that there is no question of breach of peace, because the petitioner is resident of Vill-Ayodha of Haripal P.S, whereas the the opposite parties are the resident of Jangipara.

Considered submission of Ld. Advocate for the petitioner. Perused the order as passed by the Ld. S.D.E.M and the documents filed.

From the documents as filed, I find that though the petitioner has a trade license for a business named, Dream Light but the building plan, as has been filed by the petitioner is in respect of a property situated in Vill-Ayodha and the building plan is in respect of a two storied building and not in respect of changing any roof of shop room, as has been mentioned by the Ld. Advocate for the petitioner during his submission. I also find that the Ld. S.D.E.M has only directed to O.C, Jangipara P.S to keep sharp vigil at the locale and to restrain the opposite parties in case of any possibility of breach of peace and had directed both the parties to maintain peace and tranquility. If no work is done by the petitioner, which will breach peace, the petitioner is not going to be prejudiced or injured in any way. Thus, I do not find any ground to stay the order of Ld. S.D.E.M.

Hence, prayer for stay of the impugned order is refused at this stage.

The application for stay is, thus, disposed of.

To date (25.08.2025).

Dictated & corrected by me.

SD/- Ratna Roy.  
A.S.J.

SD/- Ratna Roy.  
Additional Sessions Judge,  
1<sup>st</sup> Court, Serampore

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Later:- Order dated 04.08.2025.

Let the case record be transferred to the Court of Ld. A.D.J, 2<sup>nd</sup> Court, Serampore, for disposal.

Dictated & corrected by me.

SD/- Ratna Roy.  
A.S.J.

SD/- Ratna Roy.  
Additional Sessions Judge,  
1<sup>st</sup> Court, Serampore