

Sl.No.

47

17.09.2025

Court
No. 35

G.S.Das

WPA 21336 of 2025

**Md. Mashiuddin @ Munshi Mashiuddin @
Bablu**

-Vs-

The State of West Bengal & Ors.

Mr. Neil Basu
Mr. Sankha Biswas

... for the Petitioner(s)

Mr. Joydip Banerjee
Mr. Ahibhushan Chakraborty

... for the State-respondent(s)

The petitioner has approached this court being aggrieved by the inaction of the police authorities. The foundation of such grievance is relating to respondent no.9 wherein he alleges of extortion against the respondent no.9 from the property owners.

State has submitted a report which reflects that in respect of illegal construction there was a dispute between the petitioner and the private respondent no.9.

To that effect, the respondent no.9 complains to the authorities for demolition

of the illegal construction of 4th Floor, Premises No. 35/1D, Dr. Sudhir Basu Road. On 10.09.2025, the KMC has already carried out demolition at premises No. 35/1D, Dr. Sudhir Basu Road, Kolkata - 700 023.

However, the report of the State reflects that there is a dispute existing between the petitioner and the private respondent no.9 either for right reasons or wrong reasons.

The petitioner complains of illegal demand and/or extortion at the behest of the respondent no.9.

Since the report of the police authorities do not divulge any offence having been committed at the behest of the respondent no.9, I direct that the petitioner would be at liberty to approach the jurisdictional Magistrate under Section 175(3) of the BNSS. The learned Magistrate will assess as also ascertain

regarding the correctness of the allegations, thereafter, pass necessary directions as he/she deems fit and proper.

With the aforesaid observations, WPA 21336 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

