

Sl.No.

104 25.09.2025

Court  
No. 35

G.S.Das

## **WPA 23367 of 2025**

**Timir Baran Hatai**

**-Vs-**

**The State of West Bengal & Ors.**

Mr. Subhojit Seal  
Mr. Soumya Khan

... for the Petitioner(s)

Mr. A. Roy, Id. GP  
Mr. Dipanjan Datta, Sr. Govt. Adv.  
Ms. Ratna Das

... for the State-respondent(s)

Mr. I. Munshi

... for the respondent nos. 7, 8 and 9

Ms. Pratiti Das  
Mr. Sayan Das  
Mr. Arijit Gupta  
Ms. S. Basak

... for the Respondent No. 5

Affidavit of service so filed be  
kept with the record.

The petitioner has approached this  
court being aggrieved by the inaction of  
the police authorities as the private  
respondents particularly the members of  
the respondent no.5 having allegedly  
encroached the property belonging to the  
petitioner by breaking open the padlock.

State has submitted a report  
which reflects that Burtolla PS Case No.  
156 dated 24.09.2025 under Sections

329(4)/351(2)/54 of the BNS has already been registered for investigation.

Since the criminal case has already been registered for investigation, *prima facie*, it ensures that there has been violation of law so far as breaking open the padlock of the temporary gate which has been installed in front of the ground floor of the building is concerned.

Having considered that the criminal case is pending, the police authorities would ensure that trespassers are not allowed to use the property. To that effect, if there is any violation of law, it would be incumbent upon the police authorities to ensure that peace and tranquility is maintained.

With the aforesaid observations, WPA 23367 of 2025 is disposed of.

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

Report submitted by the State be

kept with the record.

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.)**