

WPA 5102 of 2026

**M/s ABCI Infrastructure Pvt. Ltd. & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sankarsom Sarkar
Mr. Ritoban Sarkar
Mr. Binoy Kumar Jain
Mr. Piyush Jana

....for the petitioners

Mr. Suryaneel Das
Ms. Anita Kundu

...for the State

1. Matter is heard in presence of the learned advocates representing petitioner and State respondents.
2. Learned advocate representing petitioner submits that unauthorisedly a toilet is constructed at the premises causing disturbance to the petitioner in peaceful possession of the premises in question which prompted the petitioner to approach this Court with the present writ petition seeking certain directions upon the concerned police authority. It is also submitted that there is unlawful assembly by the local people causing disturbance.
3. Prayer is made, *inter alia*, which would permit the petitioner to enjoy peaceful possession of

the premises in question without any disturbance.

4. Mr. Suryaneel Das, learned Additional Government Pleader representing State respondents has opposed this writ petition and it is submitted that petitioner has prayed for direction upon the police authorities for maintenance of peace. It is also submitted that in the event it is found unauthorisedly toilet is constructed petitioner is required to approach appropriate forum in accordance with law.
5. Having considered the respective submissions made on behalf of parties, Court finds that reason for approaching this Court is alleged construction of toilet unauthorizedly requiring the petitioner to approach the appropriate forum against such unauthorized construction. However, it is also submitted there has been unlawful assembly at the premises of the petitioner causing disturbance.
6. Concerned police authority is directed to maintain peace and tranquility at the locale and to keep vigil.
7. Writ petition stands disposed of.
8. However, this order shall not preclude the petitioner to approach the appropriate forum questioning construction of toilet.

9. Communication dated 16th June, 2026 of Officer-in-Charge, Karaya Police Station, Kolkata is filed on behalf of State respondents and same is taken on record. Copy of said communication dated 16th June, 2026 is made over to the learned advocate representing petitioner.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)