

17.11.2022
Court No.13
Item No.47
AP

WPA 19371 of 2022

**Lagna Sarkar @ Mithu Sarkar
Vs.
The State of West Bengal and Ors.**

Mr. Ranjan Kali
Mr. Suraj Bhattacharjee
Ms. Pampa Pal

...For the petitioner.

Mr. Amitesh Banerjee
Mr. Sutanu Chakrabarti

...For the State.

Despite service of notice, the private respondent is not represented.

Affidavit of service filed in Court today is taken on record.

The petitioner complains that the private respondent No.5 is preventing her ingress and egress to her residence. The respondent No.5 is her ex-husband.

The counsel for the State, on instruction, submits that the petitioner was living in Kalyani at one point of time and sought to meet the respondent No.5 to obtain possession of her property on her plot of land, which resulted in serious altercation. The police intervened and proceedings under Section 107 of the CrPC are drawn up.

This Court is of the view that the dispute raised by the petitioner is purely private and civil in nature and the possession and right in respect of any property may be claimed in an appropriate civil forum.

However, Ranaghat Police shall ensure that there is no breach of peace in the area.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)