

g.b.
15

24.08.
2023
Ct. No.14

WPA 14997 of 2023

Ambiya Bibi
Vs.
The State of W. B. & Ors.

Mr. Maidul Islam Kayal
.....For the Petitioner

Mr. Rajarshi Basu
Mr. Sanjib Dutta
.....For the State

Sk. Qareeb
Ms. Parvin Khatun
.....For the Respondent Nos. 7 to 13

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. The respondent nos. 7 to 13 are ranked outsiders who have no right, title and interest of the said property. Yet on 8.11.22 the private respondents dispossessed the petitioner and her daughter from the said property illegally and by use of force. This was brought to the notice of the police authorities but no effective steps were taken.

Learned counsel appearing on behalf of the State submits as follows. Police have already taken steps upon the complaint of the petitioner. The police have initiated a proceeding under Section 107 of the Code. They are keeping a strict vigil at the locale.

Learned counsel appearing on behalf of the respondent nos. 7 to 13 submits as follows. The dispute arose between the adverse parties because although agreed upon, the private respondents could not purchase the property in question and the same was purchased by the petitioner. However, the private respondents neither dispossessed the petitioner from the property nor are they residing there or possess the same.

I have heard the submissions of the learned counsels for the parties and have perused the writ petition.

Since it is admitted on behalf the private respondents that they have not dispossessed the petitioner from her property and are not possessing the same, there should be no difficulty for the petitioner in entering into her own property.

However, in view of the prevailing situation of animosity between the adverse parties, the petitioner shall intimate the date and time when she will return to her own property to the Officer-in-charge of Falta Police Station within 24 hours' notice. Thereafter, the police authorities shall provide necessary protection so that the petitioner can enter into her own property.

The writ petition is accordingly disposed of with these observations.

Urgent photostat certified copy of this

order, if applied for, be given to the parties on urgent basis after completion of all necessary formalities.

(Jay Sengupta, J.)