

10.05.2023
Court No.13
Item No.353
AP

WPA 22755 of 2022

**Smt. Lata Rani Mahisal
Vs.
The State of West Bengal and Ors.**

Mr. Gopal Mondal

... For the Petitioner.

Mr. Ansar Mondal

Ms. Srilekha Bhattacharyya

... For the State.

1. The petitioner claims that the private respondents/co-owners in respect of a property are disturbing her and are invading a portion being occupied by her.

2. Admittedly, the property has not been demarcated till date. Unless there is a clear demarcation of the property between the petitioner and the private respondents, the disputes between the parties is likely to continue.

3. Inspector-in-Charge, Bagnan Police Station has filed a report dated 8th May, 2023 and the same is taken on record. The report indicates that there are civil disputes between the parties

4. In the above circumstances, this Court is of the view that the petitioner may file an appropriate civil proceeding for partition of the property.

5. Bagnan PS shall, however, ensure that there is absolutely no breach of peace in the area.

6. With the observations as above, the writ petition shall stand disposed of.

7. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)