

28.02.2023.
Court No.13
Item No. 23
pk

W.P.A. No. 27876 of 2022

**Dr. Afifa Ahamed
Versus
The State of West Bengal & Ors.**

Mr. Robiul Islam,
Ms. Keya Sutradhar

...for the petitioner.

Mr. P. S. Deb Barman,
Mr. S. Alam,
Mr. M. N. Chowdhury

... for the private respondents.

The petitioner claims that her mother was in possession of a property purchased by her at Islampur, Uttar Dinajpur under Karandighi Police Station.

It is submitted that the private respondents have ousted the petitioner's mother from her residence located on the said land.

Counsel for the private respondents submits that the petitioner has purchased vacant land and there was no construction on the property-in-question.

This Court is of the view that as to whether there was a construction or residence on the land or whether it is a vacant, cannot be decided by the Police.

The petitioner may take appropriate steps in a civil court in accordance with law in this regard.

The Karandighi Police has filed a report, which is taken on record.

Since no affidavit has been used by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted by this Court

The writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)