

D/L24
13.11.2024
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ct.no.35

W.P.A.7091 of 2024

**Sabera Bibi & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Mohinoor Rahaman
Ms. Maria Rahaman
Ms. Iqra Rahaman.
...for the petitioners.

Mr. Suman Sengupta
Mr. Sambuddha Dutta.
...for the State-respondents.

Mr. Narendra Nath Maity
Mr. Md. Hossain.
...for the respondent nos.5 to 9.

Petitioners and the private respondent nos.5 to 9 have dispute over ancestral property. Petitioners contend that the private respondent nos.5 to 9 are trying to encroach upon their property while learned advocate for the respondent nos.5 to 9 denies such contentions and submits that they have also right over the said property claimed by the petitioners. Initially, a partition suit was filed which was withdrawn by the private respondents.

Learned advocate appearing for the State has submitted a report prepared by the Inspector-in-Charge, Basirhat Police Station which reflects that a criminal case has been registered under the relevant provisions of the Indian Penal Code. Proceedings have been drawn by the police station under Section

107/116 of the Code of Criminal Procedure. Police authorities have taken necessary steps for upkeep of the law and order. In spite of the same, it is further directed that the police authorities would keep strict vigil and ensure that there is no breach of peace and tranquility taking place in respect of the subject property which has been referred to in the writ petition. No untoward incident should take place as the petitioners and the private respondents are at loggerhead.

With the aforesaid observations, WPA 7091 of 2024 is disposed of.

There will be no order as to costs.

A copy of the report be handed over to the learned advocate appearing for the petitioners as well as the private respondents.

Report submitted by the learned advocate for the State be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)