

28.11.2024
Item No.12
Ct. No.35
dc.

W.P.A. 27563 of 2024

**Krishna Saha
versus
State of West Bengal & Ors.**

Mr. Prabir Kumar Bhowmick,
Mr. Anirban Saha ... For the Petitioner.

Mr. Asish Kumar Guha,
Mr. Rajendra Chaturvedi ... For the State.

Mr. Achintya Kumar Banerjee,
Ms. Indumouli Banerjee ... For the Respondent No.5.

Md. Bani Israil,
Mr. Sudip Somaddar,
Mr. Syed Md. Sayud ... For the Respondent Nos. 6 to 17.

Affidavit-of-service filed in Court today be
kept with the record.

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

The petitioner is aggrieved by the fact that
she is being disturbed and threatened by the
private respondents and is not allowed to enjoy her
house property peacefully.

Learned advocate appearing for the private
respondent nos. 6 to 17 draws the attention of the
Court to the accusations which have been reported
to the police authorities which include amongst
others the right to use the temple concerned, but
over that issue the petitioner herself in a complaint
has narrated that she intended to immerse the
deity as the deity is not in a proper condition.

So far as the residential right of the petitioner
is concerned, the police authorities would ensure

that she can enjoy her property peacefully and no disturbance be created.

So far as the right relating to temple is concerned, both the parties would approach the jurisdictional civil court for establishing their rights. This Court will not enter into the domain regarding the temple or the deity.

In case the petitioner intends to repair the boundary wall, the police authorities would keep a strict vigil so that there is no disturbance and/or breach of peace or tranquility as earlier the Habra Municipality has demarcated the same.

With the aforesaid observations, the writ petition being WPA 27563 of 2024 is disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)