

S/L 20
27.11.2024
Court. No. 35
*Suvayan/
Sourav*

WPA 27795 of 2024

**Kohinoor Bibi & Ors.
Vs.
State of West Bengal & Ors.**

*Mr. Mohinoor Rahaman
Mr. I. Rahaman*

...for the petitioners.

*Mr. Wasim Ahmed
Mr. Sk. Md. Masud*

...for the State.

*Mr. Kallol Kr. Basu
Mr. Md. Jannat Ul Firdous*

...for the respondent nos. 4, 5 & 6.

Petitioners complain that they are not allowed to enjoy their property over the issue relating to possession. Disturbance is being created by the private respondents and even after complaint police authorities are not taking any action.

Learned Advocate for the State has submitted a report. The report reflects that number of general diary entries and proceedings under Section 126 of the BNSS have been drawn up by the police authorities.

There are issues relating to a gift deed and demarcation of the property also. However, the petitioners' case is that they have a right over the property. If the petitioners have right over the property, they must be given the right to enjoy the property also. In case the property belongs to the petitioners they intend to enter and are obstructed police authorities will take steps adhering to the law.

In such circumstances, police will extend necessary assistance so that there is no disturbance and breach of the peace when the petitioners approach and/or are present at that part of the property which customarily they are enjoying.

Learned Advocate for the private respondents appeared and denies the contentions advanced by the petitioners.

With the aforementioned observations, the instant writ petition being **WPA 27795 of 2024** is hereby disposed of.

Report be submitted be kept with the record.

Copy of the report be handed over to the learned Advocate appearing for the petitioner and the private respondents.

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

(Tirthankar Ghosh, J.)