

WPA 9885 of 2020

Shyamali Barik
-vs-
The State of West Bengal & ors.

Mr. Debabrata Mondal
Mr. Sounak Bhattacharya

..for the petitioner
Mr. Lalit Mohan Mahata
Mr. Ziaul Haque
...for the State

Report filed on behalf of the petitioner intimating the State is taken on record.

Report filed by the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the shebait of a temple at the property in question. She also used to reside at the property. The private respondent, being the nephew of the original owner, illegally dispossessed the petitioner and stole away the key of the temple. The dispossession took place in October, 2022.

Learned counsel appearing on behalf of the State relies on the report and submits that the dispute between the private parties is purely civil in nature. After the demise of the erstwhile owner, his nephew took over possession of the building and the Kali temple.

It appears that there is a tussle between the petitioner

and the private respondent over access to and control of the temple at the property in question. Although the alleged dispossession took place in October 2022, the petitioner has neither filed an application under Section 145 of the Code nor filed a Civil Suit till date.

Be that as it may, the petitioner shall be at liberty to approach the Civil Court for appropriate relief, if any, in accordance with law.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)