

27.01.2025
Court No.35
Sl No.84
CP

WPA No. 1264 of 2025

Subrata Das & Anr.
- Versus -
The State of West Bengal & Ors.

Mr. Nirmalendu Bera
Ms. Gopa Das
Mr. Arnab Das

.... for the petitioners.

Mr. Swapan Banerjee
Mr. Suman Chatterjee

....for the State.

Mr. Manoranjan Jana
Ms. Mitali Jana

.....for the respondent no.5.

Petitioners complain that they are being disturbed at the behest of the private respondents who are trying to dispossess the petitioners and grab the shop room. Petitioners informed the police authorities but the police authorities did not take any steps.

Report has been submitted by the police authorities which reflect that Digha Police Station has registered a proceeding under Section 126 B.N.S.S. against the private respondents on or about 27.10.2024. Again on 01.12.2024 a proceeding under Section 126 B.N.S.S. has been drawn up by the police authorities against the private respondents.

Learned advocate appearing for the private respondents, submits that a Title Suit being Title Suit

No.460 of 2024 is pending before the learned Civil Judge (Senior Division), 2nd Court, Contai.

Be that as it may, both the parties claim regarding the shop which is subject matter of the writ petition. The police authorities would keep a strict vigil and ensure that no breach of peace takes place and/or any untoward incident results because of the strained relationship between the petitioners and the private respondents.

So far as the issues relating to right, title, possession and interest are concerned, since the civil court is in seisin of the matter, it would be discretion of the civil court concerned to decide the same.

With the aforesaid observations, the writ petition being WPA No. 1264 of 2025 is disposed of.

The report submitted be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioners as well as the private respondents.

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.)