

S/L 70
31.01.2025
Court No.35
SD/Susanta

WPA 1800 of 2025

Moumita Maity Das

Vs.

The State of West Bengal & Ors.

Mr. Golam Mostafa
Mr. Tarasankar Samanta
Mr. Kazi Arif Iqbal

...for the Petitioner.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy

...for the State.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The petitioner complains that her brother being
the respondent no.5 is trying to occupy the ancestral
property by force and to that extent he has been
threatening her with dire consequences including murder.
The petitioner informed the incident to the Officer-in-
Charge, Belda Police Station, but till date no action has
been taken by the police authorities.

Learned advocate for the State has submitted a
report. The report reflects that police has drawn up a
proceeding under Section 126 BNSS. The police
authorities have also kept strict vigil.

However, the enquiry report reflects that the
police authorities are of the view that since the title suit
being T.S. 205 of 2024 is pending before the learned Civil
Judge (Junior Division), Dantan, Paschim Medinipur.
The dispute relating to the property is to be addressed by
the civil court.

I have considered the submissions and from the
report I also find that an application under Section 175(3)

of the BNSS was preferred before the learned ACJM, Dantan. However, the same has not been pursued and dismissed.

In view of the present set of circumstances, I direct the police authorities would continue to keep strict vigil and ensure that no breach of peace and tranquility takes place or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 1800 of 2025 is disposed of.

The report, so submitted by the learned advocate for the State, be kept with the record and the same be handed over to the learned advocate for the petitioner.

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.)