

M/L 25
10.02.2025
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ct.no.35

W.P.A.2397 of 2025

**Shri Bijit Kumar Ghatak
Versus
The State of West Bengal & Ors.**

Mr. Golam Mastafa
Mr. Tarasankar Samanta.
...for the petitioner.

Mr. Suman Ghosh
Mr. Siddhartha Ghosh.
...for the State-respondents.

Mr. Samik Sarkar.
...for the respondent nos.5 & 6.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains that the respondent
nos.5 and 6 are unnecessary interfering and creating
disturbance over the issues relating to house and the
shops concerned belonging to him. Petitioner also
submits that he intends to renovate a part of the
property which is being obstructed by the respondent
nos.5 and 6 and in spite of informing the police
station, no action has been taken by the police
authorities.

Learned advocate appearing for the State
submits a report prepared by the Inspector-in-
Charge, Karimpur Police Station which reflects that
the respondent no.5 had sent a cheque to the present

petitioner drawn on SBI, Karimpur Branch. However, the petitioner did not accept the same. So far as the shops are concerned in the police report it reflects that there is a studio shop and the stationary shop.

Learned advocate for the respondent nos.5 and 6 submits that they had been in occupation under the previous landlord and is still continuing the occupation.

Learned advocate for the petitioner disputes such contentions and submits that the same happens to be an afterthought narrative.

The issue relating to right, title, interest and occupation/possession is an absolute domain of the civil court and this Court will not interfere in the said zone. It would be for the parties to approach the civil court for appropriate reliefs. So far as the police authorities are concerned, they would continue to keep a strict vigil and ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 2397 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both the parties.

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

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

(Tirthankar Ghosh, J.)