

D/L 75
20.02.2025
Kausik
ct.no.35

W.P.A. 3040 of 2025

**Azad Sardar & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Subhadeep Chatterjee
Ms. Arpita Kundu

...for the petitioner.

Mr. Jahar Lal De, AGP
Mr. Indumouli Banerjee

...for the state.

Petitioner claims that he has been thrown out of his residence at the behest of the private respondents who do not have any right, title and interest and the petitioners are absolute owners of the said property.

To that effect, petitioners informed the police station on or about 29.01.2025. It has been further informed to the police station concerned that the petitioners tried to re-enter the property on 28.01.2025 but they were resisted from entering their property.

The grievance presently is that in spite of informing the police authorities, police authorities are not cooperating and/or not rendering assistance.

Learned advocate for the State has submitted a report. Report reflects the chain of inheritance of

the property and a part of the property being purchased by the petitioner.

Police authorities on enquiry learnt that a long standing civil dispute is existing between the petitioner no. 1 and the respondent no. 7.

Learned advocate appearing for the respondent no. 7 disputes regarding the title holder of the property from whom the petitioner purchased the land.

To that effect, learned advocate submits that there are sufficient documents in custody of the respondent no. 7. Having considered that the claim of the petitioners were that they were in possession and have been thrown away from the property and the miscreants are trying to raise construction, I direct that the petitioners would approach the jurisdictional criminal and civil court for appropriate remedies by invoking the relevant provisions of law. The concerned courts would direct a preliminary enquiry in respect of the accusations made and would exercise their discretion in passing necessary orders.

The police authorities would continue to keep a strict vigil and ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 3040 of 2025 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)