

November 10, 2025

(7) ARDR

**WPA 4349 of 2023**

Atikur Rahaman

Vs.

The State of West Bengal & ors.

Adv. Gaus Ul Alam,

...for the petitioner.

Adv. Debabrata Mondal,

Adv. Sreetama Neogi,

...for the respondent no.6.

Adv. Ashim Kumar Ganguly,

Adv. Bellal Shaikh,

....for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the private respondent is disturbing his peaceful possession in respect of the plot in question which he occupies as owner thereof.

Opposing the prayer, learned counsel for the private respondent submits that this respondent is occupying his share of the property and has nothing to do with the petitioner's share.

It appears from the report that the complaints lodged by the petitioner have not been found in the police records. There is no dispute with regard to title and possession of the petitioner in respect of the plot in question.

On prayer of the petitioner, liberty is granted to file a fresh complaint before the police authority in the event his security is at stake. The police authority is directed to keep vigil in the area in order to avoid breach of law and order.

With the aforesaid direction, the writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**