

25.03.2025
Court No. 35
Item No.9
Rakib

W.P.A. 5559 of 2025

**Minara Bibi & Anr.
VS
State of West Bengal & Ors.**

Mr. Amlan Jyoti Sengupta
... for the Petitioners.
Mr. Vimal Kumar Shahi, Ld. AGP,
Ms. Pratiti Das.
...for the State.

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

Petitioners are aggrieved by the fact that the private respondents are obstructing the petitioners from entering their property and to that effect representation was made, however, the police authorities till date did not act on the same.

State has submitted a report. Report reflects that a long standing dispute is existing over the land in issue. To that effect attention of the Court was drawn to Title Suit no. 83/14 which is pending before the learned Civil Judge, 1st Court, Barasat. Another Title Suit no. 230/17 is also pending before the learned Civil Judge, 1st Court, Barasat. There is a criminal case already pending being Duttapukur PS Case no. 326/2022 dated 10.04.2022.

Learned advocate appearing for the petitioners submit that the applicant who filed the Civil Suit has at present expired. Consequently, petitioners have no remedy except to approach the police authorities.

Since two Civil cases are pending, petitioners would in the circumstances establish their right before the Civil Court. Police authorities will only see that there is no breach of the peace and/or tranquility in the area and/or any untoward incident resulting from the strained relationship existing between the parties.

With the aforesaid observations WPA 5559 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

A copy of the report without enclosures be handed over to the learned advocate appearing 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.)