

07.04.2025
Court No. 35
Item No.95
Rakib

W.P.A. 6440 of 2025

**Shyam Sundar Halder & Anr.
VS
The State of West Bengal & Ors.**

Mr. Mukteswar Maity,
Ms. Manika S.

... for the Petitioners.

Mrs. Sabnam De Bardhan, Jr. Govt. Adv.,
Mr. Md. Abu Reja J. Kabir.
...for State.

Petitioners are aggrieved by the fact that inspite of they being the patta holder there has been interference in their peaceful enjoyment of the property at the behest of the private respondent nos. 5 to 7. Learned advocate further submits that the petitioners have approached learned Executive Magistrate but inspite of the same the private respondents have been pursuing their illegal activities, thereby disturbing the peaceful possession of the petitioners. Petitioners further submit that a Title Suit is pending being T.S. No. 303 of 2024.

Learned advocate for the State submits that the police authorities have taken appropriate steps and as such there has been no violation in respect of peace and tranquility.

I have considered the submissions advanced by both the parties and on assessment of the same, I am of the view that if there is any dispute regarding right, title, interest, usage and occupation in respect of the property, the Civil Court would be the appropriate forum for

deciding such issues. Police authorities would not interfere.

However, police authorities would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from strained relationship existing between the parties.

With the aforesaid observations WPA 6440 of 2025 is disposed of.

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.)