

Sl.No. 16.04.2025
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Court
No. 35
G.S.Das

WPA 7024 of 2025

Serina Begum
-Vs-
The State of West Bengal & Ors.

Mr. Somnath Mukhopadhyay
Mr. Jayanta Mukherjee
... for the Petitioner(s)
Mr. Ashim Kr. Ganguly
Mr. Bellal Shaikh
... for the State-respondent(s)

The petitioner and the private respondent(s) are the co-sharers and it has been complained by the petitioner that she is being deprived of her dues as the private respondent(s) are selling the fish which belongs to her. To that effect, an information has been furnished to the police authorities.

There are other allegations that the private respondents are trying to grab the property of the petitioner.

Be that as it may, so far as the issues relating to share in the property are concerned, the police authorities are

not empowered to act in respect of the right, title, interest, possession and usages of the same and for exercising such right, the petitioner, if so advised, would approach the jurisdictional civil court.

However, so far as the issue relating to petitioner being deprived of her share which is forcibly taken as also so far as the issue relating to selling of fish in the water-body is concerned, the petitioner, if she has evidence in her possession, would approach the jurisdictional criminal court which on appreciation of the materials would pass necessary directions upon the police authorities.

Report submitted by the State reflects that the police authorities have already drawn up a proceeding under Sections 126/135(3) of BNSS. They would continue their surveillance as also ensure that no breach of the peace and/or tranquility taking place as also no

untoward incident resulting because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 7024 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. A Copy of the report be handed over to the learned advocate for the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

