

Sl.No. 24 28.04.2025
Court No. 35
G.S.Das

WPA 7831 of 2025

Prasanta Das & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. A. K. Dutta
... for the Petitioner(s)
Mr. Susovan Sengupta, Id.Sr. Adv.
Mr. Tarak Karan
... for the State-respondent(s)
Mr. Asim Hati
Ms. Nandini Sharma
Mr. Antariksha Karmakar
... for the pvt. Respondent nos.5-11&13
Mr. Ujjal Ray
Ms. Manishikha Mondal
... for the respondent no. 12

The petitioners allege that their peaceful enjoyment is being disturbed by the private respondents and, to that effect, an information was furnished before the Suit Police Station dated 19.02.2025.

It has also been alleged that the private respondents along with their associates had been to the land for taking over physical possession by brandishing arms and ammunitions which was informed to the concerned police station, consequent to which, a GDE No.

1461 dated 24.12.2024 was registered for investigation.

State has submitted a report which reflects that the incident complained of could not be corroborated on enquiry. From the local persons who were available, it is reflected from them that a long standing civil suit is existing between the petitioners and the private respondents.

Learned advocate for the private respondents submits that the petitioners and the private respondents are all the legal heirs of one M. N. Adhikary. Subsequently, the petitioners sold out the property thereby depriving the private respondents which is the cause of dispute.

So far as the issue relating to right, title and interest of the property is concerned, the civil court only has the domain to deal with the same and the police authorities are not empowered to assess regarding the said issue.

However, having regard to the fact that there is a dispute between the petitioners and the private respondents over the property, the police authorities would oversee that there is no breach of the peace and tranquility taking place as also no untoward incident resulting because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 7831 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.)

