

Sl.No.

342 18.09.2025

Court
No. 35

G.S.Das

WPA 8801 of 2025

Swapan Biswas

-Vs-

The State of West Bengal & Ors.

Ms. Puja Goswami

... for the Petitioner (s)

Mr. Santanu Kumar Mitra, Sr. Govt.Adv.

Ms. Anandamoni Ghosh

... for the State – respondent(s)

The petitioner is aggrieved by the fact that the private respondents have affixed padlock on the joint property, as such, he is unable to use the same.

The petitioner has also approached the learned Executive Magistrate under Section 164 of the BNSS.

Having regard to the plight of the petitioner and the submissions advanced by Mr. Mitra, learned advocate for the State, I am of the view that the police authorities cannot break open any padlock in a joint property without specific direction from an appropriate court of law.

In case, the petitioner suffers from any inconveniences so far as the property is concerned and the title suit being TS 122 of 2024 is pending before the learned Civil Judge (Sr. Divn.), Ranaghat, Nadia, the petitioner be well advised to approach the civil court for appropriate directions.

The learned civil court would assess regarding the contentions advanced by the petitioner, thereafter, pass necessary directions as he/she deems fit and proper.

With the aforesaid observations, WPA 8801 of 2025 is disposed of.

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

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.)

