

D/L 16
21.05.2025
Bpg.
ct.no.35

W.P.A.9406 of 2025

**Matiar Rahaman Sheikh
Versus
The State of West Bengal & Ors.**

Ms. Daisy Basu
Mr. Jayanta Mukherjeer.
...for the petitioner.

Ms. Sabnam De Bardhan
Ms. Kakali Naskar.
...for the State-respondents.

Mr. G.F. Hossain
Ms. Varsha Roy.
...for the respondent nos.7 to 10.

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

Petitioner is aggrieved by the inaction of the police authorities as in spite of informing the police authorities, no steps have been taken. Petitioner claims that there has been continuous interference of the private respondents in respect of the property which they claimed to be their own.

Learned advocate for the private respondents, on the other hand, submits that the private respondents are the owners of the property.

Prima facie, it is reflected from the submissions of the learned advocates appearing for

the petitioner and the private respondents that a long standing land dispute is existing.

State has submitted a report. Report reflects that proceedings have been drawn up under Section 126/135(3) of the BNSS on or about 08.08.2024.

Having regard to the fact that the genesis of the dispute arises out of the land-in-issue, it would be in the fitness of circumstances for the civil court to adjudicate the right, title, interest, usage and occupation of the said property.

So far as the police authorities are concerned, police authorities would ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 9406 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)