

19.05.2025
Court No. 35
Item No.159
Rakib

W.P.A. 10382 of 2025

Paban Mondal & Ors.
VS
The State of West Bengal & Ors.

Mr. P. K. Adhikari,
Mr. S.K. Adhikari,
Mr. Debdeep Adhikari.
...for the petitioners.

Mr. Prasanta B.,
Mr. Ritesh Kr.Ganguly,,
Ms. Attri Roy.
...for respondent nos. 5 to 7.
Mr. Swapan Banerjee, Ld. AGP,
Mr. Soumen Chatterjee.
...for the State.

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

Petitioners complain that there has been
impersonification, and forged/fake documents prepared
in respect of the property which was inherited by the
petitioners. Inspite of informing the police authorities no
steps have been taken.

State has submitted a report. Report reflects that
two civil cases being T.S. 368/09 and T.S. 369/09 are
pending. Proceedings have also been pending before the
W.B.L.R.T.T. Petitioners claim that in none of the
litigations petitioners were a party.

On the other hand learned advocate appearing for
the private respondents submit that petitioners'
forefathers participated in the proceedings.

Be that as it may, I have considered the report
which has been submitted, however, the petitioners also

claim that there are photostat copies in their possession to substantiate that the property has its genesis for which the petitioners can raise their claim.

Petitioners, if they have documents in their custody would approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would consider the veracity of the documents, conduct an enquiry and thereafter would proceed as he deems fit and proper.

Needless to state that, this Court has not entered into the merits of the case and the learned Magistrate would act independently as he deems fit and proper.

With the aforesaid observations WPA 10382 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)