

December 1, 2025
(16) ARDR

WPA 11576 of 2023

Smt. Parbati Koley & ors.
Vs.
The State of West Bengal & ors.

Adv. Sangita Jangra,
Adv. Payel Neogi,

...for the petitioners.

Adv. Imtiaz Ahmed,
Adv. Ghalala Firdaus,
Adv. Sk. Saidullah,
Adv. Mithun Mondal,
Adv. Md. Arsalan,

...for the respondent nos. 5 & 6..

Adv. Wasim Ahmed,
Adv. Sk. Md. Masud,

....for the State.

Affidavit of service filed by the petitioners is taken on record.

The petitioners claim to be in possession of the property in question and allege that the private respondents are disturbing their peaceful possession therein.

Learned counsel for the private respondents submits that in a suit being Title Suit no.154 of 1979 filed by their predecessor in interest Bimala Bala Dassi against the predecessor in interest of the petitioners in respect of the property in question, learned trial Court restrained the defendants/petitioners from interfering with the plaintiff's possession in respect of the land.

Since both the parties claim to be in possession of the land in question, the issue is essentially civil in nature and pertains to disputed questions of fact which cannot be dealt with by this Court in exercising jurisdiction under

Article 226 of the Constitution of India. The petitioners are at liberty to approach the appropriate forum for redressal of their grievance.

With the aforesaid direction, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)