

D/L 30
22.07.2025
Bpg.
ct.no.35

W.P.A.11556 of 2025

Haripada Bar
Versus
The State of West Bengal & Ors.

Mr. Subhadeep Chatterjee
Ms. Arpita Kundu.
...for the petitioner.

Mr. Rajendra Chaturvedi
Mr. Sasthi Charan Dhara.
...for the State-respondents.

Mr. Masud Karim.
...for the respondent no.7.

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

Petitioner claims that in spite of direction
passed in T.S.11 of 2008 upon the police authorities
to act in a particular manner, the police authorities
have defied. To that effect, information was furnished
to the Officer-in-Charge, Basanti Police Station.

State has submitted a report. Report reflects
that a long standing land dispute existing between
the petitioner and the private respondent and the civil
court is in thick and thin of the matter. Report also
reflects that a criminal case being Basanti Police
Station Case No.963 of 2024 was registered for

investigation and subsequently charge-sheet has been submitted before the jurisdictional court.

Learned advocate for the private respondent no.7 submits that the petitioner by committing fraud is trying to establish his right over a property which is being resisted at the behest of the private respondent no.7.

Be that as it may, since the civil court are in seisin of the issue and the criminal court in respect of the incident complained of are also in seisin of the issue, presumably the police authorities are well aware regarding the ground reality so far as the dispute and difference between the petitioner and the private respondent no.7 are concerned. Consequently, the police authorities would oversee that no breach of the peace and tranquility takes place and/or any untoward incident results. So far as establishment of right, title and interest, is concerned it would be civil court which would decide the same.

With the aforesaid observations, WPA 11556 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.)