

D/L 64
26.06.2025
ct.no.35
Kausik

W.P.A. 12400 of 2025

**Parvina Bibi
Versus
The State of West Bengal & Ors.**

Mr. Mohaimenul Mondal

...for the petitioner.

Mr. Asraf Mandal
Mr. Tushar Sil

...for the private respondent nos. 4 & 5.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee

...for the State.

Learned advocate appearing for the petitioner alleges that the private respondents are illegally trying to occupy the land which is recorded in his favour and in order to grab the same they are interfering with the peaceful enjoyment of such property. To that effect, they had been creating disturbance continuously. An information has been furnished to that effect with the police authorities but till date no action has been taken.

Learned advocate appearing for the State has submitted a report. Report reflects that a civil suit has been instituted at the behest of the private respondent no. 4 and the same is pending before the learned Civil Judge (Junior Division), Tehatta, Nadia.

Police authorities have kept a strict vigil and as such they have drawn up a proceeding under section 126 of the BNSS.

Learned advocate for the private respondents submits that the claims of the petitioners are disputed and that is why the civil court has been approached and the civil court is already in seisin of the issue.

Having considered the nature of dispute complained of, I am of the opinion that the right, title and interest in respect of a property is exclusively within the domain of the civil court. This court will not invoke its powers to decide the same.

The police authorities however would continue their surveillance and 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 12400 of 2025 is disposed of.

Report so submitted be kept with the record.

A 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.

(Tirthankar Ghosh, J.)