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jdt. 22.12.2025
jb.

WPA 13351 of 2025
(Chalehar Kayal vs. State of West Bengal & Ors.)

Mr. Subhadeep Chatterjee
Ms. Arpita Kundu
Mr. Nilabha Roy
.... For the Petitioner
Mr. Nilotpal Chatterjee
Mr. Debapriya Chatterjee
.... For the State
Mr. Pradip Saren
Mr. Soumik Ghosh
Ms. Saheli Hembrom
.... For the Private respondents

Learned counsel for the petitioner submits that the petitioner acquired the property in question by virtue of a deed of gift executed in her favour and has been possessing the same since then. The private respondents who are co-sharers of the undivided property were disturbing her peaceful possession therein for which the petitioner filed a partition suit against them wherein the learned civil Court directed both the parties to maintain status quo with regard to nature, character and possession of the property. The petitioner alleges that despite such order, the private respondents continued to disturb her possession in the property for which an application under Section 151 of the Code of Civil Procedure was filed by the petitioner before the learned trial Court. The application was allowed and police help granted. The private respondents are still continuing to disturb her possession in the property in question.

Learned counsel for the private respondents submits that in the suit filed by the private respondents against the petitioner, they have also been granted an order of status

quo and permitted to catch fish from the fishery situated in the property.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since an order of status quo has been granted by the learned trial Court in respect of the property in question, the police shall maintain strict vigil over the area in order to avoid any untoward incident in view of the strained relationship between the parties and also to ensure maintenance of peace and tranquility. The police shall also ensure that the order passed by the learned trial Court is complied with.

With the aforesaid observations and directions, the writ petition is disposed of.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)