

Sl.No. 15.07.2025
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DL
Court
No. 35
G.S.Das

WPA 13892 of 2025

Mandira Pakhira & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Amitava Mukherjee, Sr Adv.
Ms. Antara Das
Ms. Arpita Saha
... for the petitioner(s)
Ms. Sonal Sinha
Ms. Munmun Ganguly
... for the State-respondent(s)
Mr. Md. Ibrahim
Mr. Biswajit Dutta
Ms. Sufia Sayeed
Ms. Isika Pandey
... for the respondent nos. 4, 5 and 6

Affidavit-of-service so filed be kept
with the record.

The petitioner and her two sons
claim to be the owner of a property
where they are not allowed entry at the
behest of the private respondent nos. 4 to
6.

According to the petitioners, the
private respondents are flexing their
muscles by using political power and, to
that effect, already several General Diary

Entries have been registered, but, no steps have been taken, as such, the petitioners are unable to enjoy the property after the demise of the husband of the petitioner no.1, who according to the petitioners is the owner of the property.

Learned advocate for the State has submitted a report which reflects that the property originally belonged to Monomohini Pakira and Kanailal Pakira who were the mother-in-law and father-in-law of the petitioner no.1 as also the private respondent no.6, namely, Parul Pakhira.

The report also reflects that there is a dispute over the possession of the property. There have been series of hot altercation, threatening as well as exchange of abusing words at the behest of both the parties.

Having regard to the same, the

police authorities have drawn up a proceeding under Sections 126/135 of the BNSS.

I have considered the report and the documents which have been enclosed including the title deed. However, having considered that the right, title, interest and possession as also the charge of the property are to be decided by appropriate civil court, I am of the view that until and unless civil court passes appropriate direction upon the police authorities, the police authorities will not be able to interfere in respect of possession of the property.

The police authorities would only restrict themselves by ensuring that no untoward incident results because of the strained relationship existing between the petitioners and the private respondents.

With the aforesaid observations, WPA 13892 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)