

D/L 205
21.04.2025
Kausik
ct.no.35

W.P.A. 15347 of 2024

**Saswati Battina @ Battina Saswati
Versus
The State of West Bengal & Ors.**

Mr. Md. Shamimuddin
Mr. Sk. Samiul Haque
Mr. Raunak Shaw
Ms. Manisha Manna

...for the petitioner.

Mr. Wasim Ahmed
Mr. Sk. Md. Masud

...for the state.

Petitioner claims to be the owner and in possession of the flat referred to in the writ petition. However, the private respondent is interfering with such possession and creating disturbance and the same is in spite of the Civil Court being in seisin of the issue.

Records reflect that title suit no. 214/2023 is pending before the learned Civil Judge (Junior Division), Bidhannagar.

Learned advocate for the State submits that so far as the enquiry conducted by the police authorities are concerned, respondent no. 4 is in possession of the property. A proceeding was initiated before the District Consumer Disputes Redressal Commission, Rajarhat and it is reflected

in the police report that the respondent no. 4 is in possession.

So far as the issue relating to right, title, interest and possession is concerned, the same is absolute domain of the civil court and this court will not enter into the said domain.

Police authorities would act only if the civil court passes any direction upon them.

Having considered the issues so canvassed in the writ petition, police authorities would only ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the inimical relationship existing between the parties.

With the aforesaid observations WPA 15347 of 2024 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)