

D/L 61
28.07.2025
Bpg.
ct.no.35

W.P.A.15213 of 2025

**Abul Nawaz
Versus
The State of West Bengal & Ors.**

Mr. Abul Mansoor
Mr. Keshab Chandra Das
Ms. Aparajita Mondal.
...for the petitioner.

Mr. Sudipto Panda
Mr. Aranya Neogi.
...for the State-respondents.

Mr. Somnath Gangopadhyay.
...for the private respondent no.5.

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

Petitioner is aggrieved by the fact that he is
not allowed to enjoy the property which he claims to
be his own. Petitioner is disturbed, restrained and
obstructed from entering the property, as such,
representation was furnished with the police
authorities on 30th June, 2025.

On the other hand, learned advocate for the
private respondent no.5 submits that the property
belongs to the mother of the respondent no.5 and, as
such, the petitioner has no right to claim for residing
in the said premises.

A report has been submitted by the police authorities which reflects that there was a heated altercation, exchange of abusing and filthy languages and the informant was threatened, consequently, police authorities have already drawn up proceeding under Sections 126/135 of the BNSS.

Having considered that the police authorities are in knowhow of the ground reality so far as establishment of right in respect of the property is concerned, petitioner would approach the jurisdictional civil court. Police authorities would oversee that there is no breach of peace and/or tranquility or any untoward incident taking place because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 15213 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both 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.)