

November 4, 2025

(4) ARDR

WPA 15216 of 2025

Bir Singha Roy

Vs.

The State of West Bengal & ors.

Adv. Supratim Banerjee,

...for the petitioner.

Adv. Saibal Basu,

...for the respondent nos. 5 & 6.

Adv. Suman Ghosh,

Adv. Alok Banerjee,

....for the State.

No report, as called for, is submitted by the State.

However, learned counsel for the private respondents submits that the property in question is an undivided property which belonged to the mother in law of the petitioner. A partition suit was filed before the civil forum and preliminary decree has been granted. Final decree is yet to be drawn up.

The petitioner claims his wife's share in the property and submits that he was in possession thereof all throughout and is being restrained from entering into the property by the private respondents.

Since preliminary decree of partition has been granted and the suit is awaiting a final decree, this Court is not inclined to deal with the issue regarding possession of the petitioner in the property. The petitioner is at liberty to approach the appropriate forum for redressal of his grievance.

However, the police authority is directed to keep strict vigil over the area so that no untoward incident takes place and should ensure peace and tranquility therein.

With the aforesaid observation and direction, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)