

04.12.2025
rc/ct.no.05
Item No.13

WPA No. 15960 of 2023
Sri Mahadeb Ghosh & Anr.
Versus
The State of West Bengal and Ors.

Mr. Nandadulal Bandyopadhyay
Mr. Pranab Halder ..for the Petitioners

Mrs. Jhuma Chakraborty
Mr. Prashant Kumar Tripathifor the State

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

None appears for the private respondent despite service.

The petitioners and private respondent are co-sharers in respect of the undivided property in question. The petitioners allege that the private respondent is trying to raise construction in the property illegally and blocking the ingress and egress of the petitioners. The petitioners lodged complaint before the police authority which has not been considered.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioners, the police has submitted prosecution under Section 107 of the Code of Criminal Procedure.

It appears that the dispute between the parties is civil in nature. The petitioners are at liberty to approach the appropriate forum for redressal of their grievance.

In the meantime, the police authority shall keep strict vigil over the area in order to avoid any untoward incident and to ensure maintenance of law and order.

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 writ 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)