

D/L 10
07.08.2025
ct.no.35
Kausik

W.P.A. 17103 of 2025

**Sujit Kundu & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Nirbanesh Chatterjee
Mr. Anjan Banerjee

...for the Petitioner.

Mr. Animesh Mukherjee
Mr. Md. Ali Ahasan

...for the Private Respondents.

Mr. Suman Sengupta
Ms. Amrita Panja Moulick

...for the State.

Petitioner complained to the police authorities of Basirhat Police Station alleging that on 12.04.2025 the police authorities all on a sudden called the petitioner and his wife and thereafter requested the petitioners to hand over the keys of the shop. It is also contended that at the time when the keys were handed over there was an amount of Rs. 5,000/- and three sewing machines, as the said shop was carrying out tailoring business. There were certain furnitures along with certain utensils required for preparing street food. Petitioner prayed for return of the said goods to the police authorities.

Documents enclosed with the writ petition also reflects that the Executive Magistrate was approached and certain directions were passed. The police authorities have submitted their report. According to the police authorities, police authorities have submitted a report. Report reflects that the present petitioners applied to WBSEDCL for change of ownership relating to the Consumer ID of the Electricity Meter wherein he submitted an affidavit declaring that his elder brother Samar Kundu died and he had no successors, as such the same may be transferred in his name.

The respondent no. 7 also applied to the Electricity Authorities for transferring the electricity meter in her name. Consequent to which a notice was issued to the present petitioner who refused to accept the same.

Be that as it may, prima facie it reflects that there is a family feud existing between the petitioner and the respondent no. 7 over a shop room. So far as right, title, interest and possession is concerned, it would be for the civil court to decide the same.

I do not find any scope that summarily under Article 226 of the Constitution of India any directions can be passed either upon the petitioner or the respondent no. 7 to act in a particular

manner. Parties would approach the civil court for necessary remedies.

Police authorities would oversee that there is no violation of law and order and in case such a situation arise, they would interfere and act in accordance with law.

With the aforesaid observations WPA 17103 of 2025 is disposed of.

Report submitted be kept with the record. Copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)