

Sl.No.

15 28.01.2025

Court

No. 35

G.S.Das

WPA 19767 of 2024

**Sahera Bibi @ Chhayra Bibi @ Chaira Bibi
Mondal @ Chhaira Bibi**

-Vs-

The State of West Bengal & Ors.

Mr. Madhu Jana
Mr. Rahul Agarwala
Mr. Golam Zaky
Ms. Ritika Chowdhury

... for the petitioner(s)

Mr. Buddhadeb Ghosh
Mr. Jannat ul Firdous

... for the respondent nos. 4-8

Affidavit-in-opposition on behalf of
the petitioner in respect of the report filed
by the State be kept with the record.

The report reflects that already
Kumarganj P.S. Case No. 379 of 2023
has been registered. Further, a title suit is
pending between the parties. However, the
petitioner complains that circumstances
have been created so that the petitioner
cannot reside.

Accordingly, complaints were

forwarded to the police authorities dated 15.07.23, 08.11.23 and 06.03.24.

Learned advocate for the private respondents submits that they have not disturbed the petitioner and it is the petitioner who has been making out a case for getting relief in the civil court.

Be that as it may, in view of the fact that the petitioner's possession is in dispute, I direct that if any cognizable offence has been made out, the petitioner would approach the jurisdictional Magistrate under the relevant provisions of law. The learned Magistrate will exercise his/her discretion as to whether any cognizable offence is made out and/or any case for investigation or trial is made out.

In the meantime, the police authorities would keep a strict vigil and ensure that no breach of peace and tranquility takes place as also no untoward

incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, WPA 19767 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)