

D/L 19
26.08.2025
Bpg.
ct.no.35

W.P.A.19077 of 2025

**Sabita Ghosh & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Samiran Mandal
Mr. Abhinaba Dan
Ms. Sreemoyee Datta.
...for the petitioners.

Mr. Malay Singh
Ms. Neelam Singh.
...for the State-respondents.

Mr. Jagannath Ganguly.
...for the respondent nos.6 to 10.

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

Petitioners are aggrieved by the fact that in spite of informing the Inspector-in-Charge, Bishnupur Police Station as also the superior officers of police relating to the lawful possession of the petitioners being interfered with by the private respondents, no steps have been taken. Such information was furnished on or about 05.08.2025.

State has submitted a report. Report reflects that in connection with Bishnupur P.S. Case No.168 of 2023, charge-sheet was submitted against the three accused persons including one Siddhartha Kumar Ghosh, who is the father of the petitioner

no.3. The said charge-sheet was submitted for allegations of impersonation, cheating, criminal breach of trust and forgery and presently the case is before the learned ACJM, Bishnupur. Police report further reflects that very recently on or about 26.07.2025 over stacking of bricks in front of a closed petrol pump which is in the scheduled land referred in the writ petition, a dispute and hot altercation took place between the petitioner no.3 with one Rajesh Kumar Daruka and the private respondents. Over the incident a proceeding under Section 126 of the BNSS has been drawn by the police authorities for maintaining peace and tranquility in the area.

Having regard to the fact that the issue is relating to stacking of bricks in front of a closed petrol pump, I find that the right, title and interest was never considered by the police authorities and the police authorities restrained themselves to the extent of preventing any violation of law and order.

Having regard to the same, I am of the view that the police authorities have acted in consonance with the provisions of law. So far as the right, title and interest in respect of the property is concerned, the parties would better approach the jurisdictional civil court for necessary reliefs. Police authorities would only ensure that the situation do not blow out

of proportion and in such cases they would interfere and resist the same.

With the aforesaid observations, WPA 19077 of 2025 is disposed of.

There will be no order as to costs.

Report so 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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)