

D/L 29
03.09.2025
Bpg.
ct.no.35

W.P.A.19889 of 2025

**Smt. Kalpana Ghoshal
Versus
The State of West Bengal & ors.**

Mr. Haradhan Mondal.
...for the petitioner.

Mr. K.J. Yusuf
Mr. Parikshit Goswami.
...for the State-respondents.

Mr. Sujit Banerjee.
...for the respondent nos.7 to 12.

Learned advocate for the petitioner submits that the petitioner is unable to cultivate her land because of interference at the behest of the private respondent nos.7 to 12.

Learned advocate for the private respondent nos.7 to 12, on the other hand, submits that a civil suit has been disposed of and an appeal has been preferred at the behest of the private respondents. The civil court is in thick and thin of the issue concerned.

State has submitted a report. Report reflects that there is a strained relationship between the petitioner and the private respondents over the issue relating to the usage and title of the property.

Having considered that the civil court is already in seisin of the issue, petitioner if she intends to establish her right would be at liberty to approach the appeal court which is presently in seisin of the dispute.

Since State has already drawn up proceedings under Sections 126/135 of the BNSS, I am of the view that the police authorities would oversee that no breach of the peace or untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 19889 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.)