

jdt. 16.12.2025
jb.

WPA 21646 of 2025

(Ankur Gupta & Anr. vs. State of West Bengal & Ors.)

Mr. Phiroze Edulji
Mr. Rishav Singh
Mr. Sagar Kr. Mishra
Mr. Soumalya Dutta
Mr. Priyanka Agarwal

.... For the Petitioners

Mr. Amal Kr. Sen
Ms. Munmun Tewary

.... For the State

Mr. Dhiraj Trivedi
Qamar Alam
Mr. Bikash Kr. Singh
Mr. Bankim Pal

.... For the Respondent no. 10

Report submitted by the State is taken on record.

The petitioners allege that they have been illegally dispossessed from the shop room in question by the private respondents who have also stolen the goods therefrom.

Opposing such allegation, learned counsel for the private respondents submits that the private respondents have been in possession of the said shop all throughout. The question of dispossession of the petitioners does not arise.

Learned counsel for the State submits that charge-sheet has been submitted. A civil suit is also pending between the parties.

I have considered the rival submission of the parties. It appears that the petitioners have filed a civil suit against the private respondents seeking recovery of possession of the shop room. The private respondents claim to be in possession of the shop room all throughout. The dispute with regard to possession of the shop shall be decided by the learned civil Court. In the event the petitioners are found to have been in possession of the shop, their allegation of theft

of articles therefrom can be considered by appropriate forum. The petitioners lodged a complaint before the police authority on such allegations against the private respondents. This Court is informed that charge sheet has been submitted. The petitioners are at liberty to file a narazi petition for redressal of their grievance before the learned Magistrate.

In the event the said application is filed by the petitioners before the learned Magistrate, the learned Magistrate shall deal with the same at the earliest.

Since nothing further remains to be adjudicated in the application, the same is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)