

24.09.2025
Item No.78
Ct. No.35
dc.

W.P.A. 22393 of 2025

Halima Mondal
versus
The State of West Bengal & Ors.

Mr. Ambu Bindu Chakraborty,
Ms. Mrinmoyee Roy Chowdhury ... For the Petitioner.

Mr. Amitabrata Roy, Id. GP,
Mr. Amit Gupta,
Mr. Alok Banerjee ... For the State.

Mr. Barun Chatterjee ... For the Respondent No.4.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Learned advocate appearing for the petitioner draws the attention of the Court to the order passed by the learned Executive Magistrate, Baruipur Sub-Division, South 24-Parganas in MP Case No. 2699 of 2025. The order so passed to the best of the understanding of this Court is not according to the sanctity of law as orders under Section 163 of BNSS are restricted to public order and for maintaining peace and tranquility.

Petitioner's main contention is regarding the resistance faced from the respondent no.4 in respect of the construction which she has been raising at her own property.

On the other hand, learned advocate appearing for the private respondent no.4 disputes the land belonging to the petitioner.

Having regard to the fact that so far as the right, title and interest of any property is concerned, that is the exclusive domain of the civil court. I am of the opinion that police authorities would only ensure that there is no violation of law and order and maintain peace and tranquility at the locale.

With the aforesaid observations, the writ petition being WPA 22393 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)