

WPA 23519 of 2025

Subhas Shaw @ Subhash Sau
Vs.
The State of W. B. & Ors.

Ms. Pinky Dey
Mr. Asish Bhattacharya ...for the petitioner.

Mr. Tapan Coomaar Dey
Ms. Shayani Das ...for the State.

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

Heard learned counsels for the parties.

None appears for the private respondents despite service.

Learned counsel for the petitioner submits that the petitioner purchased the property in question and has been possessing the same. The private respondents are trying to encroach upon the property, disturb his peaceful possession therein, restrain him from causing necessary repairs in the property and are threatening him with dire consequences.

The petitioner lodged complaints before the police authorities, but to no effect.

Learned counsel for the State submits that the petitioner purchased one of the portions of the plot from the original owners and the dispute is civil in nature.

This Court concedes to the submission made by the State that the dispute is civil in nature. The petitioner, in substance, seeks a declaration of his right, title and interest in respect of the property in question and a restraining order upon the private respondents so that he is able to possess the property peacefully.

The petitioner is at liberty to approach the appropriate civil forum for redressal of his grievance. In the mean time, the police authority shall keep strict vigil in the area in order to ensure that there is no breach of peace and tranquility.

With the above directions and observations, the writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

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

(Suvra Ghosh, J.)