

09
12.11.2025
Ct. No.26
b.das

WPA 24061 of 2025

Dr. Mallika Biswas & Anr.
Vs.
The State of W. B. & Ors.

Mr. Omar Faruk Gazi
Ms. Susmita Das ...for the petitioners.

Mr. Bibekananda Tripathy
Ms. Ranjana Har Chowdhury ...for the State.

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

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners purchased two separate properties in a housing complex and merged two separate car parking spaces therein into one.

The petitioner alleges that taking advantage of their absence from the plots, local people broke open the grill gate of the garage on one side, damaged their vehicle and stole accessories of the vehicle therefrom.

The petitioners lodged complaint before the police authority but no effective step was taken by them.

Learned counsel for the State submits that the petitioners have raised a grill gate in their garage by occupying a portion of the common area, in excess of what was purchased by them. The other members of the

housing society had to remove the grill gate in order to enter the common area for maintenance work and water supply restoration.

Learned counsel submits that the title deeds of the petitioners were not produced before the police along with the complaint and the area of the garage space purchased by the petitioners and alleged amalgamation thereof need to be ascertained.

The petitioners seek liberty to file a fresh complaint before the police authority along with their title deeds in order to respond to the queries made by the police. In the event such complaint is lodged, the police authority shall take necessary steps in accordance with law.

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.)