

30. 03.12.2025
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WPA 24087 of 2025
(Prabir Bhowmik & Anr. vs. State of West Bengal & Ors.)

Mr. Debkumar Maiti
.... For the Petitioners
Mr. Ashis Kr. Guha
Mr. Sanjib Das
.... For the State

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

None appears for the private respondents despite service.

Learned counsel for the petitioners submits that the private respondents are disturbing the peaceful possession of the petitioners in respect of the property in question and despite an order passed by the learned civil Court in a title suit filed by the vendor of the petitioners directing the private respondents to remove the iron barricade in the passage and the collapsible gate in front of the passage of the property, the private respondents, in violation of the said order, is continuing to obstruct the egress and ingress of the petitioner and have not removed the iron barricade or the collapsible gate. It appears from the report submitted by the State that prosecution under Section 166 of the BNS has been submitted upon local enquiry.

There appears to be a civil dispute between the parties. The petitioners are at liberty to approach the appropriate forum for redressal of their grievance. They may also take necessary steps before the learned trial Court for the alleged violation of the order of injunction by the private respondents.

In the meantime, the police authority is directed to keep strict vigil over the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

The writ petition is accordingly 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.)