

11.11.2025

Item no. DL 23
Court No. 26

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 23512 of 2025**

In the matter of :
SAFIOWNESA BIBI HALDER
.... Petitioner
VS.

THE STATE OF WEST BENGAL & ORS.
....Respondents

For the Petitioner :
Mr. Matibur Rahman
Mr. Murari Chakraborty
Ms. Shilpa Sarkar
....Advocates

For the Respondent / State :
Mr. Syed Nazmul Hossain
Ms. Debarati Sen (Bose)
....Advocates

For the Respondent no. 5 :
Mr. Kingsuk Mondal
....Advocate

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

The petitioner claims to be in possession of the land in question by virtue of purchase thereof and alleges that the private respondent is throwing garbage in the Government land adjoining her land, thereby obstructing her free egress and ingress.

Learned counsel for the State submits that the land in question is a Government land and there is dispute with regard to the land in question between the parties.

Learned counsel for the private respondent submits that it is the petitioner who is throwing

garbage in the Government land adjoining her property.

Upon consideration of the submissions made on behalf of the parties, this Court is of the view that the dispute between the parties is essentially a civil dispute. Since the petitioner alleges that the private respondent is disturbing her peaceful possession in her property by obstructing her free egress and ingress, the petitioner is at liberty to approach the appropriate civil forum for redressal of her grievance.

In the meantime, the police authority is directed to maintain strict vigil in the area so that no untoward incident takes place and peace and tranquility is maintained.

The writ petition is accordingly 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 expeditiously after complying with all requisite formalities.

(Suvra Ghosh, J.)