

13.11.2025
rc/ct.no.26
Item No.50

WPA No. 24119 of 2025
Prabhat Mallik & Anr.
Versus
The State of West Bengal & Ors.

Ms. Subhangi Bhattacharya ..for the Petitioners

Mr. Jayanta Samanta

Mr. Kazi Sajjad Alam ... for the State

Ms. Priyanka Das

Mr. Avisek Das... for the Respondent Nos. 5, 7 and 9

Learned counsel for the petitioners submits that one Gopal Chandra Das filed a title suit claiming right, title, interest and possession in respect of the property in question. The suit was decreed in his favour. Gopal Chandra Das transferred the property in favour of the petitioners by virtue of a deed of gift. The petitioners allege that the private respondents are disturbing their peaceful possession in respect of the property, claiming to be the owners thereof. When the petitioners went to mutate their names in respect of their property they found their property was recorded in the names of the private respondents. The petitioners preferred an appeal under Section 54 of the West Bengal Land Reforms Act and by an order passed on August 13, 2020, the SDL&LRO, Bangoan, North 24-Parganas declared that the names of the petitioners be recorded in equal shares in respect of the property.

Learned counsel for the State submits that the property is a vacant land, not occupied by anyone.

Learned counsel for the private respondents submits that an appeal preferred by the private respondents against the decree passed in the title suit is pending. Also, an order passed by the SDL&LRO has been assailed by them.

The petitioners claim to have derived title from the erstwhile owner Gopal Chandra Das. Since they allege that their possession is being disturbed by the private respondents, they are at liberty to seek redressal before the appropriate forum. The dispute is essentially civil in nature.

With the above observations and directions this writ petition, the same 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)