

WPA 24226 of 2025

**Ritavash Hazra
Vs.
The State of W.B. & Ors.**

Mr. Shymal Roy
Mr. Madhusudan Mukhopadhyay
...for the petitioner.

Ms. Runi Chakraborty
Mr. Nikhil Kr. Gupta
...for the State.

Mr. Puspendu Chakraborty
...for respondent No.6.

Mr. S. P. Purakait
Mr. Pradip Kr. Neogi
Mr. Anirban Saha
Mr. Arnab Kr. Neogi
..for the respondent No. 7,8, 12 & 14.

Mr. Rabindranath Mahato
Mr. Aritra Shankar Ray
..for the respondent No. 9,13, 15 & 16.

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

Heard learned counsels for the parties.

The petitioner claims to be the owner of the property
in question and alleges that the private respondents who
are the tenants and sub tenants of the property and
possessing the property illegally even after expiry of the
tenancy are disturbing his peaceful possession therein.
The private respondents are obstructing him from raising
boundary wall in the property.

Denying the said allegation learned counsel for the
private respondents submits that a similar writ petition
was filed by the private respondents before this Court and

by an order passed on 29th April, 2025 in WPA 7942 of 2025 a co ordinate Bench of this Court observed that the dispute was civil in nature and the civil court would be the appropriate forum for canvassing such issues. This Court directed the police authorities to ensure surveillance and prevent any untoward incident because of the strained relationship existing between the parties.

Learned counsel for the State submits that pursuant to the complaint lodged by the petitioner, prosecution has been submitted against the private respondents under Section 126 of the BNSS.

The dispute between the parties appears to be civil in nature. The petitioner is at liberty to approach the appropriate civil forum for redressal of his grievance.

In the meantime, the police authority shall keep strict vigil over the area to avoid any untoward incident and to ensure maintenance of law and order.

The writ petition is disposed of accordingly.

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.)