

31. 03.12.2025
jb.

WPA 24231 of 2025

Hakima Khatun @ Hakima Bibi & Anr.
vs.
State of West Bengal & Ors.

Ms. Tithi Mazumder
Mr. Soumik Dey
Mr. Mahadev Dey
.... For the Petitioners
Mr. Sumon Sengupta
Mr. Ashmita Chakraborty
.... 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.

The petitioners complain that despite an order passed by the civil Court restraining the private respondents from disturbing the peaceful possession of the petitioners and from changing the nature and character of the property till disposal of the suit, the private respondents are disturbing the peaceful possession of the petitioners and obstructing them in cultivating their land.

Learned counsel for the State submits that pursuant to the complaint lodged by the petitioners local enquiry was held and prosecution submitted under Section 126(1) of the BNS. Learned counsel further submits that upon enquiry it was found that private respondents are in possession of the land in question for a long time and have been cultivating the same.

Dispute between the parties is essentially civil in nature. The petitioners are at liberty to approach the civil Court for redressal of their grievance.

In the meantime, the police authority shall keep strict vigil over the area in order to avoid any untoward incident and to ensure that there is no breach of law and order.

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.)