

9
jdt. 11.11.2025
jb.

WPA 23742 of 2025
(Sri Ajoy Sardar vs. State of West Bengal & Ors.)

Mr. Nikhil Kr. Gupta
Ms. Laboni Bar

.... For the Petitioner

Sardar Amjad Ali
Mr. Puranjan Pal

.... For the Respondent nos. 5, 6, 8 and 10

Nasim Ahmed
Mr. Kaushim Chowdhury
.... For the State

Affidavit of service filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that the private respondents are disturbing the peaceful possession of the petitioner in the property in question and are restraining him from cultivating the land. Learned counsel submits that an application under Section 156(3) of the Code of Criminal Procedure has been filed by the petitioner which is pending.

Learned counsel for the private respondents submits that the private respondents purchased share of one of the co-sharers of the property and have stepped into the shoes of the said co-sharer.

I have heard the submission made on behalf of the parties. By an order passed on 27th March, 2023 in WPA 655 of 2021 a co-ordinate Bench of this Court dealt with the identical issue as in the present writ petition and granted liberty to the petitioner to approach the civil Court for redressal of his grievance . The Inspector in charge, Gosaba

Police Station was directed to ensure that there was absolutely no breach of peace in the area.

Learned counsel for the State submits that the police authority has been complying with the said order.

It is evident that there is a dispute with regard to the title of the property between the parties which is essentially a civil dispute. The petitioner is at liberty to approach the civil forum for redressal of his grievance. However, the police authority shall maintain strict vigil over the area in order to avoid breach of peace and occurrence of any untoward incident.

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.)