

WPA 24242 of 2025

Sekh Jakir Hosen
Vs.
The State of W. B. & Ors.

Mr. Arif Ekbal Molla ...for the petitioner.

Ms. Sanghamitra Nandy
Mr. Kushal Das ...for the State.

Ms. Dolon Dasgupta ...for the private respondent.

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 submits that he purchased a piece of land from the erstwhile owner and has been possessing the same peacefully. The private respondent is disturbing his peaceful possession therein and also threatening him with dire consequences.

Learned counsel for the State submits that the dispute is purely civil in nature since the petitioner and the private respondent have been quarrelling in respect of demarcation of the property.

Learned counsel for the private respondent submits that the private respondent and the petitioner's vendor purchased the property jointly. The property has not been demarcated. The shares of the joint owners cannot be

identified. The private respondent has filed preemption suit before the civil forum which is pending.

I have considered the submission made on behalf of the parties. It appears that there is a dispute between the petitioner's vendor and the private respondent with regard to their respective shares and demarcation thereof.

Since the petitioner alleges that his possession is being disturbed by the private respondent, he is at liberty to approach the appropriate civil forum for redressal of his grievance. However, the police authority is directed to keep strict vigil over the area in order to avoid any untoward incident and to maintain peace and tranquility.

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.)