

11.11.2025

Item no. DL 27
Court No. 26

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 23900 of 2025**

In the matter of :
HABIBUR RAHAMAN KHAN & ORS.
.... Petitioners
VS.

THE STATE OF WEST BENGAL & ORS.
....Respondents

For the Petitioners :
Mr. Balaram Pandit (via VC)
Mr. Krishna Deo Das
....Advocates

For the Respondent / State :
Mr. Tanmoy Kumar Ghosh
Mr. Subhajit Roy
....Advocates

For the Respondent nos. 5 to 9 :
Mr. Sounak Bhattacharya
Mr. Sounak Mondal
Ms. Bipasha Bhattacharyya
....Advocates

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

Heard learned counsels for the parties.

The petitioners allege that the private
respondents have been disturbing their peaceful
possession in respect of the property in question, are
trying to demolish their shoprooms therein and
threatening them with dire consequences.

The report submitted by the State indicates that
no cognizable offence having been made out on spot
enquiry, the complaint was diarized.

It appears that there is a long standing civil dispute between the parties. The private respondents filed a title suit against the petitioners which being dismissed, an appeal is pending.

Since the petitioners allege disturbance of their peaceful possession in the property in question, they are at liberty to approach the appropriate forum for redressal of their grievance. However, the police authority is directed to maintain strict vigil in the area so that no untoward incident takes place and peace and tranquility is maintained.

The writ petition is accordingly 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 expeditiously after complying with all requisite formalities.

(Suvra Ghosh, J.)