

November 26, 2025
(13) ARDR

WPA 24223 of 2025

Krishna Basak & anr.
Vs.
The State of West Bengal & ors.

Adv. Sumita Sarkar,
Adv. A. Ghoshal,
Adv. Anshu Shaw,

...for the petitioners.

Adv. Debapriya Chatterjee,
Adv. Tirthankar Dey,

....for the State.

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

The private respondents are not represented despite service.

It is not in dispute that the petitioners and the private respondents are members of the same family and reside in a joint undivided property. The petitioners submit that the 2nd petitioner's father has gifted his portion of the property to the petitioners. After demise of the said father, the private respondents are disturbing their possession in the property, assaulting and harassing them for which the petitioners lodged a complaint before the police authority on 22nd September, 2025. The complaint has not been acted upon.

Learned counsel for the State submits that FIR has been registered pursuant to the complaint lodged by the petitioners and investigation is in progress. The 5th respondent/accused was arrested and was subsequently granted bail.

The civil angle of the dispute between the parties shall be dealt with by the appropriate civil forum. The police authority is directed to investigate the complaint lodged by the petitioners in a fair, unbiased and impartial manner and take the same to its logical conclusion in accordance with law. The police authority shall keep vigil over the area so that there is no breach of peace and tranquility. The authority shall also render assistance to the petitioners as and when approached by them.

With the aforesaid observation and directions, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)