

WPA 24243 of 2025

Bhiguram Halder & Ors.
Vs.
The State of W. B. & Ors.

Mr. Kiron Sk.
Mr. Jamiruddin Sk. ...for the petitioners.

Mr. Rabindra Nath Pal
Ms. Soma Chakraborty ...for the State.

Mr. Sannidhya Datta
Mr. Soham Datta ...for the private respondent.

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

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners purchased the plot in question in 2023 and have been occupying the same since then.

The private respondents are trying to encroach upon the plot and are disturbing their peaceful possession therein. Representations submitted by the petitioners before the police authority fell on deaf ears.

The petitioners also filed an application under Section 163 of the BNSS before the Executive Magistrate, Diamond Harbour. The Executive Magistrate directed maintenance of peaceful possession, if any, of the petitioner in respect of the land and also that the petitioner should not be disturbed for a period of two months from

the date of the order, the order being passed on 14th July, 2025.

Learned counsel for the private respondents submits that the private respondents have been possessing the land for about 50 years and their names have been recorded in the Records of Rights.

Learned counsel for the State submits that the dispute between the parties is purely civil in nature and the petitioners ought to approach the civil forum for redressal of their grievance.

It appears that there is a dispute between the parties in respect of the possession of the plot in question, both the parties claiming to be in possession of the same.

The petitioners claim title by virtue of a deed of purchase. The dispute is essentially civil in nature. The petitioners are at liberty to approach the appropriate civil forum for redressal of their grievance. In the meantime, the police authority shall keep strict vigil over the area and ensure 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.)