

December 19, 2025

(6) ARDR

WPA 24685 of 2025

Smt. Baby Debnath

Vs.

The State of West Bengal & ors.

Adv. Bidyut Kr. Halder,

Adv. Indranil Halder,

Adv. Neha Singh,

... for the petitioner.

Adv. T. K. Chatterjee,

...for the respondent no.4.

Adv. Jaydip Basu

...for the State.

Report submitted by the State is taken on record.

The petitioner claims to be a co-sharer in respect of the property in question and alleges that the private respondent who is her brother is restraining her from occupying her room in the property after her mother's death. She claims that all her belongings are lying in the said room.

Learned counsel for the private respondent submits that the property in question belongs to the grandfather of the parties and since the father of the parties is still living, the petitioner cannot claim to be a co-sharer of the property. Also, after the death of her mother, the petitioner barged into the property and stole all the gold ornaments from her father's room for which her father lodged a complaint against her before the concerned police station.

It appears from the report submitted by the State that the complaint of the petitioner has been diarised and it was found in course of enquiry that a dispute is prevailing between the petitioner and the private

respondent over the issue of share in the undivided property.

It appears that the dispute between the parties is civil in nature. The petitioner is at liberty to approach the appropriate forum for redressal of her grievance.

The writ petition is devoid of any merit and is accordingly dismissed.

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.)