

27
jdt. 17.12.2025
jb.

WPA 24765 of 2025
(Gopal Mondal & Anr. vs. State of West Bengal & Ors.)

Mr. Kamalesh Ch. Saha
Ms. Mishuk Saha
Mr. Anurag Bose
Ms. Rakhi Chakraborty

.... For the Petitioners

Mr. Asish Kr. Guha
Mr. Benazir Ahmed

.... For the State

Md. Zeeshanuna Zaman
Mr. Sahadat Ali

.... For the Private Respondents

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

The petitioners allege that the private respondents are disturbing their peaceful possession in the property in question. The petitioners filed an application under Section 163(2) of the BNSS before the learned Executive Magistrate which was disposed of by granting liberty to both the parties to approach the civil forum. The petitioners submitted a representation before the police authority which has not been considered.

Learned counsel for the private respondents submits that both the parties are in possession of respective shares of the undivided land.

It appears from the report submitted by the State that pursuant to the representation submitted by the petitioners enquiry was held and prosecution submitted under Sections 126/135(3) of the BNSS. The dispute between the parties is essentially civil in nature. The petitioners are at liberty to approach the appropriate forum for redressal of their grievance.

In the meantime, the police authority shall keep strict vigil in the area in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility and also ensure that no untoward incident occurs.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)