

19.12.2025
rc/ct.no.05
Item No.18

WPA No. 25507 of 2025
Aquil Akhtar @ Mohammad Aquil Ansari & Ors.
Versus
The State of West Bengal & Ors.

Mr. Mukteswar Maity
Ms. Manika Sarkar ..for the Petitioner

Mr. Vimal Kumar Shahi (through VC)
Mrs. Susmita Chatterjeefor the State

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

None appears for the private respondent despite service.

Heard learned counsels for the parties.

It is not in dispute that the petitioners and the private respondents are co-sharers in respect of the property in question and a civil suit is pending between them. The petitioners allege that despite an order of status quo in respect of the possession of the property being granted by the learned trial Court, the private respondents are disturbing their peaceful possession in the property, assaulting them and threatening them with dire consequences. The complaint lodged by the petitioners in this regard has not been considered.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that in the

event the complaint filed by the petitioners has not been acted upon by the police authority the petitioners are liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

In the meantime, the police authority shall keep strict vigil in the area so that no untoward incident occurs and peace and tranquility is maintained.

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 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)