

16.12.2025
rc/ct.no.05
Item No.25

WPA No. 26312 of 2025
Kunti Devi @ Kunti Choudhury
Versus
The State of West Bengal & Ors.

Mr. Amit Singh
Ms. Renu Mondal ..for the Petitioner

Mr. Wasim Ahmed
Sk. Md. Masudfor the State

Mr. Sukanta Chakraborty
Mr. Anindya Halder
Mr. S. Chakraborty ...for the Respondent No.11

Affidavit of service filed by the petitioner is taken on record.

None appears for the respondent nos. 4 to 10 despite service.

Learned counsel for the petitioner submits that the petitioner is a tenant in respect of the property in question and has been evicted therefrom forcibly by the private respondents. The property has been demolished and a development agreement entered into with regard to the same between the respondent nos. 4 to 10 and respondent no. 11. Complaint lodged by the petitioner before the police authority has not been taken care of.

Learned counsel for the respondent no. 11 denies and disputes the allegation made by the petitioner.

Learned counsel for the State submits that the dispute is civil in nature and civil suit filed by the petitioner against the private respondents is pending. No ad interim injunction was granted in favour of the petitioner in the said suit.

I have considered the rival submission made on behalf of the parties.

Since the petitioner submits that complaint lodged by him before the police authority has not been taken care of, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS. The dispute appears to be civil in nature. Civil suit between the parties is pending. The petitioner can approach the learned trial Court for redressal of his grievance, if any.

In the meantime the police authority shall ensure maintenance of law and order in the locality and shall render necessary assistance to the petitioner as and when required.

The writ petition is accordingly 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)