

WPA 27016 of 2025

Arpita Pal Chandra

Vs.

The State of W. B. & Ors.

Mr. Somopriyo Chowdhury
Mr. Sourav Mondal
Mr. Swapnadwip Roy
Mr. Shaunak Ghosh ...for the petitioner.

Mr. Supriya Chattopadhyay
Mr. Hare Krishna Halder ...for the State.

Mr. Tanmoy Khan
Ms. Arpita Mondal
Ms. Richa Pramanik ...for the private respondents.

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

Heard learned counsels for the parties.

The petitioner submits that the private respondents who are members of the local club are restraining the petitioner from raising boundary wall in her property. They are also threatening her and abusing her in filthy language.

The petitioner lodged a complaint before the police authority which has been registered as FIR after the writ petition was filed. Subsequently, two FIRs have been lodged against the petitioner and her family members by the private respondents and notice under Section 35(3) of the BNSS were issued against them in this regard.

Learned counsel for the private respondents submits that the vendor of the petitioner transferred a portion of the land in question in favour of the club. The land is undivided and requires to be demarcated.

Learned counsel for the State submits that a notice has been issued upon the petitioner by the Olipur-Kashipur gram panchayat alleging unauthorized construction of boundary wall in the property. The dispute is purely civil in nature.

It appears that investigation with regard to the complaint lodged by the petitioner as well as to other subsequent complaints lodged by the private respondents is pending.

The investigating officer shall conduct a fair, unbiased and impartial investigation and take the same to its logical conclusion in accordance with law.

No coercive steps be taken against the petitioner and her family members (accused in the two complaints) in connection with the two complaints lodged against them subject to their co operating in investigation.

The dispute with regard to raising of boundary wall is essentially is civil in nature.

The petitioner is at liberty to approach the appropriate civil forum for redressal of her grievance.

In the meantime, the police authority shall maintain strict surveillance in the area in order to avoid any untoward incident due to the strained relationship between

the parties. The police shall also ensure maintenance of peace and tranquility in the area.

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.)