

D/L 20  
17.01.2025  
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ct.no.35

**W.P.A.128 of 2025**

**Kalpana Khanra  
Versus  
The State of West Bengal & Ors.**

Mr. Sukumar Ghosh  
Mrs. Moumita Ghosh.  
...for the petitioner.

Mr. K. J. Yusuf  
Mr. Saurav Chaudhuri.  
...for the State-respondents.

Mr. Malay Bhattacharyya  
Mr. Subhrojyoti Ghosh.  
...for the respondent no.4.

Affidavit of service filed by the petitioner be  
kept with the record.

Petitioner and the private respondent no.4  
are brother and sister who are embroiled in a dispute  
in respect of the paternal property although the  
petitioner has claimed that she has been thrown out  
of house but the police reports reflect that she had  
been staying at matrimonial home and has a place to  
stay at Barbarisha which is within the jurisdiction of  
Kolaghat Police Station at the house of her husband.  
Petitioner has taken up a contention that she is on  
the streets which has been disputed not only by the

private respondent no4. but also by the police authorities which is on an enquiry.

Petitioner may have a right to the property which is a paternal property but the contentions which have been advanced that she is residing on the streets is unfounded particularly with the report which has been furnished before this Court.

Mr. Bhattacharyya, learned advocate, appears on behalf of the private respondent no.4 and disputes the contentions advanced in the writ petition.

Having regard to the nature of the dispute existing between the parties, I direct the petitioner would be at liberty to approach the jurisdictional civil court for recovery of possession, if any, in respect of her share of property.

With the aforesaid observations, WPA 128 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

***(Tirthankar Ghosh, J.)***