

D/L - 28
29/10/2025
Court. No. 2
Aritra

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

WPA 1994 of 2025

**Sanjay Kumar Basak
Vs.
The State of West Bengal & Ors.**

Ms. Monisha Roy

....for the petitioner

Mr. Subir Kumar Saha, Ld. AGP
Mr. Sandip Guha Roy

....for the State

Mr. Bapi Das

....for the respondent Nos.5 to 9

The petitioner alleges inaction on the part of the police authorities. Petitioner lodged a complaint before the police authorities alleging wrongful dispossession from the property of the petitioner and illegal trespass.

The learned advocate appearing for the petitioner submits that no steps have been taken by the police authorities to register an FIR pursuant to the complaint lodged by the petitioner.

The learned advocate appearing for the private respondents and State submits that the dispute is purely a civil dispute.

After going through the complaint dated June 28, 2025, this Court finds that it has been alleged in the said complaint that in mid August, 2024, the private respondents and his family members unlawfully entered into the property of the petitioner after forcibly evicting him and since then they are in wrongful possession of the said property. The private respondents denied the access to the

petitioner. The petitioner has alleged dispossession from an immovable property without due process of law.

After going through the averments made in the writ petition and the allegations made in the complaint, this Court is of the *prima facie* view that the dispute involved between the private parties is purely a civil dispute pertaining to an immovable property.

For such reason this Court is not inclined to grant any relief to the petitioner in this writ petition.

However, if the police authorities are of the view that the complaint discloses any cognizable offence, it will be open to the police authorities to take steps in accordance with law.

With the above observations and directions **WPA 1994 of 2025** stands disposed of.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)