

21.01.2026
rc/ct.no.05
Item No.14

WPA No. 726 of 2026
Jayna Bibi Shekh
Versus
The State of West Bengal & Ors.

Mrs. Papiya Chattopadhyay..for the Petitioner

Mr. Sagnik Chatterjee
Mr. Krishna Keshab Pal ...for the State

Mr. Kishore Mukherjee
Mr. Dipanwita Gupta
...for the respondent nos. 6,7,8,13&14

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

Learned counsel for the petitioner submits that despite an order of ad interim injunction granted by the learned civil Court in a partition suit filed by the petitioner against the private respondents, both of them being co-sharers in respect of the property in question the private respondents are disturbing the peaceful possession of the petitioner in the property and are forcibly taking away fish from the waterbody therein. The petitioner lodged several complaints before the police authority but to no effect.

Denying the allegation of the petitioner, learned counsel for the private respondents submits that the private respondents are co-sharers in respect of the property along with the petitioner and have right, title

and interest over every inch of the property including the fish in the waterbody.

It appears from the report submitted by the State that pursuant to two earlier complaints lodged by the petitioner, specific cases have been registered and investigation is in progress. Since the complaint lodged by the petitioner on December 11, 2025 has not been acted upon till date, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redress of her grievance.

In the meantime, the police shall keep strict vigil in the area in order to avoid any untoward incident in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility so that the order passed by the learned trial Court is strictly complied with by both the parties in its true letter and spirit.

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)

