

09
29.01.2026
Ct. No.5
b.das

WPA 946 of 2026

Achhmat Ali Molla
Vs.
The State of W. B. & Ors.

Mr. Debapriya Majumder ...for the petitioner.

Mr. Suman Sengupta
Mr. Nirmalya Biswas
Mr. Sanatan Panja ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner married the 7th respondent and thereafter purchased a property from the 5th and 6th respondents who are the brothers of the 7th respondent.

Though the petitioner paid an amount of Rs.2.5 lakhs to the private respondents for recording his name in respect of the purchased property, his residential house has been forcibly occupied by the private respondents who have assaulted him and thrown him out of the house.

The petitioner seeks to return to his house and reside therein safely. Complaint lodged by the petitioner before the police authority in this regard has not been acted upon.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, FIR has been registered and investigation is in progress.

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

Since the petitioner seeks to return to his house, he shall approach the Officer in Charge, Polerhat, PS being the 3rd respondent herein, intimating the date and time of his return.

The 3rd respondent shall render necessary assistance to the petitioner in order to enable him to return to his house and reside there peacefully and safely without any disturbance from any corner whatsoever.

In the meantime, the police shall keep strict vigil in the area in order to avoid any untoward incident and shall ensure peace and tranquility in addition to the safety and security of the petitioner.

The writ petition is disposed of accordingly.

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.)