

49
jdt. 20.01.2026
jb.

WPA 8244 of 2025
(Avijit Das vs. State of West Bengal & Ors.)

Ms. Disha Roy
Ms. Adsrija Basu Roy
Ms. Shreyasi Manna
.... **For the Petitioner**
Mr. Swapan Banerjee
Mr. Soumen Chatterjee
.... **For the State**

Learned counsel for the petitioner submits that the petitioner's father purchased the property in question from the private respondents by virtue of a registered deed of conveyance upon payment of the entire consideration amount. After demise of the petitioner's mother the petitioner and his family shifted to Kolkata and started residing there ordinarily. Taking advantage of their absence the private respondents who are neighbours of the petitioner and were entrusted with the keys of the house entered the house and committed theft of valuable articles therefrom. The petitioner lodged complaint before the police authority in this regard on 2nd December, 2024 which has not been considered.

It appears from the report submitted by the State that the private respondents allege that consideration amount of Rs.8,00,000/- is still due from the petitioner's parents and possession of the house remained with the private respondents. The petitioner tried to take possession of the house forcibly and on being resisted by the private respondents assaulted them for which a specific case was registered on the basis of the complaint lodged by the 7th respondent. Charge sheet has been submitted therein upon completion of investigation. Meanwhile, the petitioner filed a

miscellaneous petition before the learned Sub-Divisional Magistrate, Ranaghat, Nadia being M. P. case no. 860/24 under Section 163 of the BNSS and upon holding enquiry, prosecution was submitted under Section 126/135 (3) of the BNSS.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that the dispute between the parties is civil in nature. The petitioner is at liberty to approach the appropriate civil Forum for redressal of his grievance

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)