

22  
jdt. 06.01.2026  
jb.

**WPA 12550 of 2025**  
**(Tarun Bhowmik vs. State of West Bengal & Ors.)**

**Mr. Lakshmi Nath Bhattacharyya**  
.... For the Petitioner  
**Mr. Rajarshi Basu**  
**Mr. Aniban Dutta**  
.... For the State

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

Learned counsel for the petitioner submits that the petitioner has been in possession of the shop room in question by virtue of a deed of gift executed in his favour by his aunt. The electricity bill and record of rights are also in his favour. The petitioner alleges that the private respondents who are his family members have evicted him from the shop room and taken possession thereof for which the petitioner is unable continue his business therein. The petitioner lodged complaint before the police authority in this regard but to no effect.

Learned counsel for the private respondents submits that the private respondents have been running business in the shop room in question since long and have documents in support of their possession. The petitioner is trying to dispossess the private respondents from the shop room in the garb of a deed of gift allegedly executed in his favour. The petitioner has also issued eviction notice upon the private respondents in respect of the shop room.

The dispute between the parties is essentially civil in nature and involves several factual aspects which cannot be

dealt with by this Court in exercising jurisdiction under Article 226 of the Constitution of India.

The petitioner is at liberty to approach the civil forum for redressal of his grievance. In the event the complaint lodged by the petitioner has not been considered by the police, he is also at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

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.)**