

WPA 17969 of 2025

Nishikanta Mondal & Ors.
Vs.
The State of W. B. & Ors.

Mr. Snehasish Sutradhar
Ms. Swarnali Biswas ...for the petitioners.

Mr. Tapan Coomaar Dey
Md. Zaiur Rahaman ...for the State.

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

Learned counsel for the petitioners submits that the petitioners are patta holders in respect of the land in question.

The private respondents who are rank outsiders have been disturbing the peaceful possession of the petitioners therein and obstructing them from cultivating the same for which the petitioners filed a civil suit being Title Suit no.120 of 2025 against the private respondents.

By an order passed on 12th March, 2025, the learned Trial Court restrained the private respondent from disturbing the possession of the petitioners in respect of the property and from changing the nature and character of the same.

The petitioners allege that despite such order, the private respondents are obstructing the petitioners in

cultivating the land which is their livelihood. The petitioners seek police assistance.

It appears from the report submitted by the State that the private respondents claim possession in respect of dag no.317 and also claim to have been cultivating the said land for more than 50 years.

The dispute is essentially civil in nature. Since the learned civil Court is in seisin of the matter, the petitioners are at liberty to ventilate their grievance before the said learned Court.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and shall ensure maintenance of peace and tranquility. The police shall render necessary assistance/protection to the petitioners as and when sought.

The writ petition is disposed of accordingly.

However, there shall 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.)