

WPA 24116 of 2025

Kalpana Das
Vs.
The State of West Bengal & ors.

Adv. Sandip Mandal,
...for the petitioner.
Sr. Adv. Gopal Chandra Ghosh,
Adv. R.K. Mondal,
Adv. Sunandana Saha,
Adv. Naba Kumar Karmakar,
Adv. Parnashree Samanta,
...for the private respondent.
Adv. Mir Anuruzzaman,
...for the State.

The petitioner complains that though she is a cosharer in respect of the property in question, the private respondent is disturbing her possession therein, threatening her with dire consequences and trying to oust her therefrom. Complaint lodged by the petitioner in this regard has not been acted upon.

Learned counsel for the private respondent submits that the petitioner and the private respondent are cosharers in respect of the property and a partition suit is pending between the parties wherein a preliminary decree has been granted. The petitioner is refraining from appearing before the learned trial Court and is filing false complaints against the private respondent.

Learned counsel for the State also submits that the dispute between the parties is civil in nature.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that in the

event the petitioner is aggrieved by the conduct of the police authority in not registering her complaint, she is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of her grievance.

In the meantime, the police authority 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 also ensure maintenance of peace and tranquility.

With the above observation and direction, 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 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.)