

04
09.01.2026
Ct. No.5
b.das

WPA 24241 of 2025

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

Mr. Pintu Karar
Mr. Sabab Uddin Laskar
Ms. Meghna Chowdhury ...for the petitioner.

Mr. Abhishek Banerjee
Mr. Arka Mondal ...for the State.

Ms. Priya Chakraborty ...for respondent nos.6 & 7.

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

Heard learned counsels for the parties.

The petitioner does not press prayer (f) of the writ petition.

Learned counsel for the petitioner submits that the petitioner acquired the property in question by virtue of deed of gift executed in his favour by his father.

The respondent no.6 who is the brother of the petitioner and respondent no.7 who is the wife are disturbing the peaceful possession of the petitioner in the property, taking away the usufructs therefrom and depriving the petitioner of his share therein.

The petitioner lodged complaint before the police authority. He seeks police protection.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner,

enquiry was held and prosecution submitted under Section 126 of the BNSS.

The dispute between the parties is essentially civil in nature. The petitioner is at liberty to approach the appropriate civil Court for redressal of his grievance.

On prayer of the petitioner further liberty is granted to approach the jurisdictional Magistrate under Section 175 of the BNSS 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 also ensure maintenance of peace and tranquility.

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.)