

30
20.01.2026
Ct. No.5
b.das

WPA 24199 of 2025

Ritwam Chakraborty & Anr.
Vs.
The State of W. B. & Ors.

Ms. Pampa Dey (Dhabal)
Ms. Sangita Banerjee
Mr. Biswarup Chatterjee ...for the petitioners.

Mr. Krishna Deo Das ...for the State.

Affidavit of service filed by the petitioners is taken on record.

None appears for the private respondents despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the petitioners purchased the land in question from the private respondents and others upon payment of consideration amount by virtue of a registered deed of conveyance and constructed a godown therein wherein they run their business.

The petitioners allege that the private respondents have been extorting money from the petitioners for running their business and on protest raised by them broke the godown door and stole several articles and furniture therefrom.

The petitioners lodged complaints before the police authority which were not acted upon.

Learned counsel for the State 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 inclined to hold that since the complaints lodged by the petitioners have not been acted upon, they are 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 in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility. The police shall render necessary assistant/protection to the petitioners so that they are able to carry on their business in the property in question without any disturbance from any corner whatsoever.

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.)