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jdt. 19.01.2026
jb.

WPA 25443 of 2025
(Smt. Suparna Ghosh vs. State of West Bengal & Ors.)

Mr. Pradyut Kr. Nandi
Ms. Anjana Sengupta
Ms. Subhra De

.... For the Petitioner

Mr. Bhakti Prasad Das

.... For the State

Maidul Islam Kayal
Noor Ul Amin Sarkar
Mr. Archisman Singh
Mr. Sumit Naskar

.... For the Private Respondents

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

The petitioner alleges that despite a decree granted by a competent civil Court in her favour, she was ousted from the property in question by the private respondent illegally. The petitioner lodged a complaint before the police authority in this regard on 16th October, 2025 which has not been acted upon.

Learned counsel for the private respondents submits that the respondent no. 7 has no nexus whatsoever with the property in question and has no role to play herein.

It appears from the report submitted by the State that the respondent no. 6 being one of the co sharers of the property instituted a title suit being T.S. no. 1575 of 2022 which is sub judice. In a connected miscellaneous appeal, the learned Court has directed the parties to

maintain status quo with regard to possession of the property in question.

I have considered the rival submission of the parties.

By an order passed on 6th December, 2024 in WPA 4880 of 2023 a co-ordinate Bench of this Court directed the Superintendent of Police, Diamond Harbour Police District to trace out the progress of case of Bishnupur Police Station case no. 103 of 2023 and ensure that if charge sheet was not submitted, it would be submitted within a period of 60 days and if charge sheet was submitted, a Special Public Prosecutor would be engaged for conducting the trial. Learned Magistrate in seisin of the matter was directed to fix one date in every 15 days so that the appeal could be taken to its logical conclusion within a reasonable period of time. It is submitted on behalf of the petitioner that the said order has not been complied with by the learned Magistrate.

In view of the above, this Court directs the concerned learned Magistrate to comply with the direction of this Court vide order dated 6th December, 2024 in WPA 4880 of 2023 in right earnest. In the event the complaint lodged by the petitioner on 16th October, 2025 has not been acted upon, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

In the meantime, the police authority shall maintain strict vigil over the area in order to avoid any untoward incident and 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.)