

WPA 25452 of 2025

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

Mr. Satadal Sovan Halder ...for the petitioner.

Mr. Rajarshi Basu
Mr. S. T. Mina ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that despite an order granted by the learned Trial Court restraining the 6th respondent from disturbing the peaceful possession of the petitioner in respect of the property in question, the private respondents are continuing to disturb her peaceful possession therein for which she lodged a complaint before the police authority on 23rd October, 2025 seeking assistance.

Learned counsel for the State submits that pursuant to the said complaint, a specific case has been registered and investigation is in progress.

In view of the above, this Court is inclined to hold that since the civil Court is in seisin of the matter, the

petitioner is at liberty to ventilate her grievance before the said learned Court.

The investigating officer is directed to conduct a fair and impartial investigation and take the same to its logical conclusion in accordance with law.

In the meantime, the police shall keep strict vigil in the area in order to avoid any untoward incident due to the strained relationship between the parties and shall ensure 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.)