

February 25, 2026
(8) ARDR

WPA 25627 of 2025

Smt. Rita Bar
Vs.
The State of West Bengal & ors.

Adv. Debasish Das,
Adv. Debasish Chattopadhyay,
...for the petitioner.
...for the State.

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

It appears that service upon the private respondents has returned with an endorsement "refused" which amounts to good service.

The private respondents are not represented.

The petitioner claims to be the recorded owner of the land in question. In an earlier writ petition being WPA 8358 of 2025 the petitioner alleged that she was being restrained by the private respondents from raising a boundary wall in her property despite sanctioned plan obtained from the municipality. By an order passed on 5th March, 2025, a coordinate Bench of this Court recorded that the police authority would continue surveillance and ensure that no breach of peace and tranquility or any untoward incident results because of the inimical relationship existing between the parties. After the said order was passed the petitioner again tried to raise the said boundary wall and faced obstruction from the private respondents. A further complaint was lodged by the petitioner in this regard on 11th September, 2025. The

petitioner alleges that the complaint has not been acted upon.

It appears from the report submitted by the State that the complaint dated 11th September, 2025 has been enquired upon and prosecution submitted under Section 126 of the BNSS.

In the event the petitioner is aggrieved by the obstruction raised by the private respondents in erecting the boundary wall in the property, she is at liberty to approach the appropriate forum for redressal of her grievance.

In the meantime, the police authority shall continue surveillance in the area and shall ensure maintenance of peace and tranquility.

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.)