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19.01.2026
Court No. 5
D.Hira

WPA 25337 of 2025

**Ajija Bibi
Vs.
State of West Bengal & Ors.**

**Mr. Indranil Halder,
Ms. Neha Singh.
... for the petitioner**

**Mr. Sudipta Panda,
Mr. Subrata Ghosh.
... 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 respondent despite service.

The petitioner is the sister of the private respondent and alleges that the private respondent has ousted her from the house in question and is occupying the entire property.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, an enquiry has been conducted and prosecution submitted under Section 126 of the BNSS.

The property is undivided. The petitioner occupies one room therein and the private respondent occupies four rooms.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that the dispute between the parties is civil in nature, the parties claiming their exclusive share in the property.

The petitioner is at liberty to approach the appropriate civil forum for redressal of her grievance.

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 authority shall render necessary assistance/protection to the petitioner as and when required.

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.)