

WPA 26390 of 2025

Biman Ghosh
Vs.
The State of W. B. & Ors.

Mr. Prakash Pakrashi
Mr. Shahjamal Hazra
Mr. S. N. Sinha Ray
Kazi Asif Iqbal ...for the petitioner.

Ms. Sharmila Dutta Das
Mr. Somnath Muhopadhyay ...for the State.

Mr. Tirthapati Acharyya
...for the respondent No.7.

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

Heard learned counsels for the parties.

The petitioner claims to be the owner of the land in question and alleges that the private respondent who is a rank outsider is disturbing his peaceful possession therein.

The petitioner lodged complaint before the police authority on 29th October, 2025 but to no effect.

It appears from the report submitted by the State that the property originally belonged to one Jyotirmoyee Dutta, who expired issueless.

The private respondent who is the nephew of the original owner continued to be in possession of the property. The other nieces and nephews of the owner recorded the land in their names and transferred the same in favour of the petitioner.

It appears that the dispute between the parties is civil in nature, both the parties claiming their right, title and interest in respect of the property.

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

The complaint lodged by the petitioner was enquired upon and prosecution submitted under Section 126/135 of the BNSS.

The police authority shall continue surveillance in the locale 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 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.)