

Sl.8
13.02.2026
Court No.19
BP

WPA 29029 of 2025

Alamgir Mondal
-versus-
The State of West Bengal & Ors.

Mr. Debasis Sur
Mr. Dilip Kumar Das
Mr. Mrinmoy Chatterjee
..for the petitioner

Mr. Tanmoy Kumar Ghosh, Ld. Sr. Govt. Advocate
Mr. Saiful Alam
..for the State

Mr. Sujoy Sarkar
Ms. Sneha Srivastava
..for the respondent no.4

The petitioner claims to be running a business of furniture in a shop room attached to his dwelling house which is a three-storied building at Guma, Jessore Road, Dag No. 2149/3104. The petitioner claims to be the owner of the said shop room by virtue of the deed of gift executed by his father. The petitioner alleges that the private respondent no.4 is creating disturbance in the peaceful possession of the petitioner in respect of the property in question and on 4th December, 2025 the private respondents robbed and vandalized and looted the furniture from the shop room of the petitioner, caused damage to the articles and furniture and also verbally abused the petitioner. The petitioner claims to have lodged

a complaint before the Officer in Charge, Ashoknagar Police Station dated 9th December, 2025.

The learned advocate appearing for the petitioner submits that no effective steps have been taken by the police authorities excepting registration of an FIR.

The learned advocate appearing for the private respondent denies the allegation made by the petitioner. He submits that the private respondent has not vandalized the shop room of the petitioner. He further submits that the petitioner is trying to dispossess the private respondent from the portion of the property occupied by the private respondent. He further submits that wife of the private respondent also lodged a complaint against the petitioner prior to the complaint made by the petitioner but no effective steps have been taken by the police authorities on the complaint lodged by the wife of the private respondent.

The learned advocate appearing for the State submits that on the basis of the complaints made by the petitioner and the wife of the private respondent FIRs have been registered and investigation is going on.

From the report submitted by the Officer-in-Charge, Ashok Nagar Police Station it appears that an FIR being Ashoknagar Police Station Case No. 717/25 dated 5th December, 2025 has been registered on the basis of the complaint lodged by the wife of the private respondent and Ashoknagar Police Station Case No. 730/25 has been registered on the basis of the complaint lodged by the

petitioner. It appears that the police authorities have taken steps pursuant to the complaint and counter complaint by the respective parties and the investigation is going on.

Upon going through the materials on record and after hearing the learned advocates for the respective parties this Court finds that there is a serious dispute as to the right to possess different portions of an immovable property between the private parties. Such a dispute cannot be decided in the writ petition. Parties are left free to approach the civil court for redressal of their grievances relating to possession and ownership of the immovable property.

However, the police authorities are directed to ensure that no breach of peace and tranquility occurs at the locale.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)