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jdt. 19.01.2026
jb.

WPA 26158 of 2025
(Smt. Papia Panchadhay Mahapatra vs. State of West Bengal & Ors.)

Mr. Krishna Das Podder
Ms. Mandira Barman
.... For the Petitioner
Mr. Amit Bikram Mahata
Mr. Samrat Mondal
.... For the Private Respondents

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

None appears for the State despite service.

Mr. Swapan Banerjee, learned counsel who is present in Court and usually appears for the State is requested to represent the State in this matter. His appointment be regularised by the appropriate authority. The petitioner is directed to serve copy of the application along with annexure thereto upon Mr. Banerjee in course of this day.

Learned counsel for the petitioner submits that the petitioner has acquired the land in question by virtue of inheritance. The private respondents who are neighbours are trying to trespass into the land illegally and have assaulted the petitioner and her son for which a complaint was lodged by the petitioner before the police authority. The complaint has been registered as FIR and investigation initiated. The petitioner has subsequently learnt that charge sheet has been submitted upon completion of investigation. No notice of submission of charge sheet was served upon the petitioner. The petitioner seeks liberty to file a narazi application before the jurisdictional Magistrate challenging the charge sheet as well as the mode and manner of investigation. Such liberty is

granted. The petitioner also seeks police protection of life and liberty of her family members and herself.

Learned counsel for the private respondents submits that the petitioner and the private respondents are co-sharers in respect of the land in question and the private respondents have been possessing the same for the last 50 years. They have filed a title suit being T.S. no. 195 of 2022 against the petitioner which is pending.

Learned counsel for the State submits that the dispute between the parties is civil in nature and needs to be dealt with by the learned civil Court.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the dispute between the parties is essentially civil in nature and petitioner is at liberty to approach the appropriate civil Court for redressal of her grievance. She is also at liberty to file a narazi application before the jurisdictional Magistrate against the charge sheet submitted in the meantime.

Since the petitioner apprehends threat to her life and property, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and ensure maintenance of peace and tranquility. The police shall render necessary assistance/protection to the petitioner as and when sought.

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.)