

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 100 of 2024

For Petitioner(s)	: Mr. Sankar Bhattacharjee, Advocate. Mr. Subendu Noatia, Advocate.
For Respondent(s)	: Mr. K. De. Addl. GA.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

12.02.2024

Heard learned counsel for the parties.

[2] The present writ petition is filed under Article 226 of the Constitution of India seeking following reliefs:

- (i) *Issue rule NISI calling upon the respondents calling upon each of them to show cause as to why a writ/Writs and/or Order/Orders, Direction/Directions in the nature of mandamus and/or any other Writ/Writs in the nature thereof shall not be issued directing the respondents to act upon the application dated 10.04.2023, 26.05.2023 & 23.11.2023 submitted by the petitioner within the time fixed by this Hon'ble Court.*
- (ii) *Issue rule NISI calling upon the respondents calling upon each of them to show cause as to why a certiorari and/or any other writ/writs, order/orders in the nature thereof calling for the entire records pertaining to the application dated 10.04.2023, 26.05.2023 & 23.11.2023.*
- (iii) *After hearing the parties may be pleased to make the Rule absolute*
- (iv) *Pass such further order and/or direction as Your Lordships may deem fit and proper for the ends and in the interest of justice*

[3] It is the case of the petitioner that he purchased the land measuring 0.030 acre Dukal (Nal) class of land from Sri. Dipankar Das, Smt. Sikha Rani Das (Sarkar), Smt. Sefali Das and Sri. Sankar Das son & daughters of Lt. Guranga Das on 24-02- 2023 vide NGDRS Token No. 202300003589 and vide registered sale deed no. 2023/SDR/1/3417. The heirs of the deceased Guranga Das registered the said land in petitioner's name on the basis of Survival Certificate. During the purchase of the said land the petitioner also purchased a shop which was built in the said land by paying substantial amount to the occupier of the shop Smt. Shibani Paul W/O- Lt. Swapan Paul vide one notary relinquishment of possession agreement dated 23/03/2023 after that the petitioner have taken the possession of the land and shop and put a lock in the said shop. After few

days the petitioner found that someone put another lock over the lock of the petitioner. When the petitioner enquired about the said incident he did not get any information that who locked the shop with another lock. After discussion with the previous owner and the occupier, the petitioner lodged a written complaint to the respondent no. 4 on 10-04-2023 and prayed to look after the matter and prayed to unlock the lock which was illegally put in the petitioner's shop. That after few days since no effective action has been taken after the written complaint of the petitioner, the petitioner personally visited the respondent no. 4 and shown all the legal documents of the said land and the shop and requested to take action regarding the matter after investigation. After that also no investigation was done nor has any action been taken. Thereafter the petitioner lodged a written complaint to the respondent no. 3 on 26-05-2023.

[4] However since no step had been taken by the concerned police officials, then the petitioner went to his shop premises to open his shop and that time some unknown miscreants had threatened the petitioner not to open the shop premises. When the petitioner interacted with them and asked the reasons for such restrain, that time they demanded huge amount from the petitioner and they also desired and uttered to run business of country made liquor from the shop premises of the petitioner. But when the petitioner objected and raised voice against their illegal activities they have threatened to burn the shop premises and also threaten to kill the petitioner. Thereafter again the petitioner lodged a written complaint stating the entire incident on 23-11-2023 to the respondent no. 3. Since the respondent no. 4 failed to take any effective action on my complaint dated 10-04-2023. And the respondent no. 3 also not taken any action upon my complaint dated 26-05-2023. It is most humbly submitted that from the reliable sources the petitioner learnt that at present those miscreants are doing business of country made liquor on shop premises of petitioner. The petitioner is suffering with agony since in-spite of having substantial land and shop the petitioner cannot use the shop to establish his business for earning his livelihood. The petitioners do not have any other alternative and efficacious remedy to get justice except filing this writ petition.

[5] Mr. K. De. learned Addl. GA places on record the communication dated 10.02.2024 made by SDPO (Sadar), West Tripura, Agartala addressed to the Superintendent of Police (Legal Cell), Agartala, West Tripura indicating that there is a civil dispute between the petitioner and the unofficial respondents. The petitioner is a vendee and he has dispute with his vendor.

[6] In view of the same, this is not for this court to enter into the disputed question of fact. Moreover, it is a settled principle of law that interference of police in a civil dispute is unwarranted. This court directs the respondents to communicate their reply to the petitioner in pursuance of the communication dated 10.02.2024 as expeditiously as possible, preferably within a period of one month.

[7] With the above observation, the present writ petition stands dismissed. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

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