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21.09.2020
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Ct12

WPA 6814 of 2020

With
IA No. CAN 1/2020
(CAN 5795/2020)

(Via Video Conference)

Tanushree Chakraborty

Vs.

The State of West Bengal & Ors.

Mr. Pantu Deb Roy, AGP,
Mr. Pannalal Bandyopadhyay
... For the State.

The petitioner remains unrepresented
either through video platform or physically.

The State respondents are present in Court.

After going through the writ petition and considering the orders passed in two previous writ petitions filed by the writ petitioner, it is apparent that the dispute complained of by the petitioner is purely civil in nature. The police authorities under no stretch can either decide the relationship between the landlord and the tenant or between the owner and the trespassers. The petitioner alleges that he is unable to carry on business in view of the resistance caused or action of the private respondents. It is apparent that the petitioner on the earlier two writ petitions did not succeed before this Court. It will be therefor futile exercise to pass any direction on the police authorities to assist the petitioner in carrying

on business from the disputed premises where civil rights are involved and has not been adjudicated even prima facie. The police authorities shall only ensure that either of the parties, i.e., the petitioner and the private respondents taking advantage of the pandemic situation do not act in a manner which is likely to cause breach of peace.

Nothing remains in the writ petition to be further adjudicated and the same along with the connected application is disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon usual undertakings.

(Arindam Mukherjee, J.)