

27.11.2020
Item No. 10
Ct. No.24
PG

W.P.A. 7827 of 2020

(Via Video Conference)

Jadupati Gayen & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Mukteswar Maity.....for the petitioners

Mr. Partha Pratim Roy

Mr. Ayan Banerjee.....for the State

Petitioners complain of police inaction.

Learned advocate appearing for the petitioners submits that, the petitioners suffered damages due to the Amphan cyclone. Petitioners seek to repair the house. The private respondents are obstructing such repair. Police are inactive despite complaints.

Learned advocate appearing for the State submits that, the petitioners filed a previous writ petition seeking police protection to cultivate the land. Such writ petition was dismissed. A mandamus appeal is pending.

Learned advocate appearing for the petitioners in reply submits that, the earlier writ petition was for cultivation of different plots of land. In this case, the plot of land involved is Bastu and that, the petitioners suffered damages to their house.

In the facts of the present case, it appears that, the petitioners approached the writ Court earlier complaining of police inaction. Such writ petition was dismissed on the ground that, there were disputes between the private parties and it related to an immovable property. An appeal is pending from the order of dismissal.

The petitioners not having succeeded in the earlier writ petition, it would be inappropriate for the writ Court to exercise discretionary writ jurisdiction in favour of the petitioners in the present case.

W.P.A. 7827 of 2020 is disposed of.

(Debangsu Basak, J.)