

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(VIA VIDEO CONFERENCE)

WPA 7917 of 2020

Poulomi Dutta
Vs.
The State of West Bengal & Ors.

Mr. Tauhid Khan
Mr. S.S. Roy
... For the petitioner

Mr. Lalit Mohan Mahata
Mr. P.B. Mahata
... For the State

Mr. Sayak Chakraborti
Mr. Animesh Bhattacharyya
Ms. Shreya Mukhopadhyay
... For the private respondents

Petitioner complains of police inaction.

Learned advocate appearing for the petitioner submits that the petitioner is owner of an immovable property. The private respondents are disturbing the possession and ownership of the petitioner in respect of such property. Police are inactive despite complaint.

State and the private respondents are represented.

Learned advocate for the State submits, on instruction, that the complaint of the petitioner was enquired into and a prosecution under Section 107 of the Criminal Procedure Code was submitted. He submits that, on enquiry, police learnt that the dispute between the private parties is civil in nature. The private respondents

are owners of the immovable property concerned. The property concerned is yet to be demarcated by metes and bounds.

In the facts of the present case, since, the complaint of the petitioner was enquired into and a prosecution under Section 107 of the Criminal Procedure Code was submitted and, since, the private parties have disputes with regard to the immovable property, no further interference by writ Court is called for. The private parties are, however, at liberty to avail of their remedies before the appropriate forum, in accordance with law.

WPA 7917 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Debangsu Basak, J.)