

OD 8

WPO 427 of 2019
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MD EHTESHAMUDDIN
VERSUS
STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date : 16th December, 2020.

APPEARANCE:

Mr. Arif Ali,Adv.
Mrs. Nilofer Siddique Alam,Adv.

Mr. Arijit Basu,Adv.

Mr. Amitesh Banerjee,Sr. Adv.
With
Ms. Ipsita Banerjee,Adv.

Mr. Gaurav Purkayastha,Adv.

The Court :-The petitioner alleges that despite the private respondents having harassed the petitioner and ransacked the petitioner's property, the police have not been taking appropriate steps on the consequent complaint lodged by the petitioner. It is submitted that there was a public interest litigation, which went up to the Supreme Court and was decided against the private respondents and the present criminal activities allegedly committed by the private respondents are a backlash to that in some manner.

Learned Senior Counsel appearing for the State respondent, by placing reliance on the affidavit-in-opposition and filed by the State, submits that an enquiry was undertaken and, upon adequate investigation, a charge-sheet has been filed on the basis of the complaint of the petitioner.

Learned Counsel for the private respondents argues that the petitioner is in the habit of heckling the private respondents which, Counsel submits, can be evidenced from several previous orders of Court annexed to the affidavit-in-opposition of the private respondents.

There are allegations and counter allegations galore, being exchanged between the petitioner and the private respondents, which have culminated in complaints being lodged by both the sides with the police authorities.

However, this Court ought not to enter into the merits of such allegations within the limited conspectus of the present writ petition. Since the police authorities have satisfactorily shown that they are taking effective steps on the complaint lodged by the petitioner and a charge-sheet has already been filed in that regard, there is no necessity for passing any further direction in the present writ petition.

Accordingly, WPO No. 427 of 2019 is disposed of in the light of the aforesaid observations.

It is made clear that this order will not preclude the petitioner from approaching the police authorities in the event there is any specific instance of the private respondents and/or third parties preventing the petitioner from

entering his own residence. If such complaint is lodged, the police shall look into the matter and take appropriate steps expeditiously.

No order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)