

19.07.2021

Ct. No.13

Sl. No.14

pk/akd

W.P.A. 5455 of 2021 [via video conference]

[Akbar Ali Molla -Vs- The State of West Bengal & Ors.]

Mr. Indranil Halder

... .. for the petitioner

Mr. Amit Baran Dash

... .. for respondent no.5

Md. Galib

... .. for the State

Learned counsel for the petitioner submits that he has purchased a portion of the property from the father of the respondent no.5. It is submitted that the respondent no.5, who is the son of the seller, has illegally occupied certain portions of the property purchased by the petitioner.

It is submitted that the petitioner has since filed a civil suit being T.S. No. 248 of 2018 which is now pending before the 3rd Court (Junior Division) at Alipore against the respondent no.5 herein.

In that view of the matter, the Officer-in-charge, Rajabagan Police Station shall ensure that there is no breach of peace in the locale. The petitioner and the private respondent nos. 4 & 5 may thrash out their civil differences pending before the civil court or any other civil forum.

It is made clear that this Court has not decided any possessory rights or title of any of the parties, in any manner whatsoever.

With the aforesaid observations, the writ petition is disposed of.

Instructions of the learned counsel for the State issued by the Officer-in-charge, Rajabagan Police Station dated 12th March, 2021 be kept with the record.

There shall be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)