

29.06.2021.
Item no. 40.
Court No.13
ap

**W.P.A. No. 10631 of 2021
(Through Video Conference)**

**Smt. Bela De
Versus
The State of West Bengal & Ors.**

Mr. Ratan Ghosh.

...For the petitioner.

Mr. Santanu Kumar Mitra,
Mr. Sudip Sarkar.

...For the State.

Affidavit-of-service filed in Court today by the
Counsel for the petitioner be taken on record.

The writ petitioner complains that the private
respondent no.6, who was originally engaged as a
Caretaker of her Bunglow by her late husband, has
been harassing her and her tenants. The said
respondent no.6 is stated to have demanded that the
writ petitioner handed over the property to him.

It is submitted by the Counsel for the petitioner
that three several complaints have been made to the
Ghutari Sherif Police Station against the private
respondent no.6 and the same have been registered
and diarized on 11th August, 2019, 5th August, 2020
and 4th May, 2021 respectively. It is submitted that
police have not taken any steps against the private
respondent no.6 till date.

Counsel for the State, Mr. Mitra, submits that
the concerned Police Station has taken all and every

steps under the provisions of the Code of Criminal Procedure. It is further submitted that a proceeding under Section 107 read with Section 116 of the Code of Criminal Procedure have been initiated and have been filed on 21st June, 2021. He, therefore, submits that it is unlikely that the private respondent no.6 would continue any of his illegal activities any further.

This Court indeed sees that police have taken due steps in accordance with law and there is no inaction on their part.

However, with a view to allay the fears of the writ petitioner and to prevent any further action by the private respondent no.6, the Officer-in-charge, Ghutari Sherif ROP and the Officer-in-charge, Jibantala Police Station, Canning shall post a Constable at the said premises of the writ petitioner, costs whereof shall be borne by the petitioner. The posting of Constable shall be for a period of 15 days at the first instance.

The Officer-in-charge, Ghutari Sherif ROP and Officer-in-charge, Jibantala Police Station shall continue to maintain a vigil on the said area and ensure that no untoward incidents takes place in the locale. It shall particularly be ensured that the private respondent no.6 does not in any way enter the said premises or try to disturb the petitioner or her tenants.

With the aforesaid directions, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(*Rajasekhar Mantha, J.*)