

26.07.2021
Item no.26

Aloke
Ct. no.8

Through Video Conference

W.P.A 11632 of 2021

**Ashis Pal
Versus
The State of West Bengal & Ors.**

Mr. Gouranga Kr. Das, Advocate
... for the petitioner
Mr. Amitesh Banerjee, Id. Senior Standing Counsel
Mr. Tarak Karan, Advocate
... for the State
Mr. Supratim Dhar, Advocate
Mr. Dhananjay Naskar, Advocate
... for the Private Respondent No. 5

Petitioner complains of police inaction.

Learned Advocate appearing for the petitioner submits that the police are not investigating on the complaint dated April 20, 2021. Petitioner is a tenant and that possession of the tenancy was wrongfully obtained by the landlord.

State and the private respondents are represented.

Learned senior standing counsel appearing for the State submits on instruction that there are number of proceedings between the private parties. The police received a complaint on April 20, 2021. The complaint dated April 20, 2021 which did not mention anything about theft of articles. The police registered such complaint as First Information Report and that the investigation is in progress. The police thereafter received a complaint on April 23, 2021. The police tagged the same along the complaint dated April 20, 2021. In the complaint of April 23, 2021 the allegation of removal of

articles was made by the petitioner. The investigation is in progress.

Learned Advocate appearing for the private respondent submits that, the petitioner filed a Civil Suit being Title Suit No. 170 of 2020 seeking restoration of possession. He refers to an order dated July 8, 2021 passed by the revisional court.

In the facts of the present case, there are number of proceedings pending between the private parties. The disputes relates to tenancy. The police are investigating on the complaints received as noted above. There is a civil suit for restoration of possession filed by the petitioner being in Title Suit No. 170 of 2020 in the court of the learned Civil Judge (Junior Division), 2nd court at Baruiipur.

In view of the pendency of the proceedings, particularly, the Title Suit with regard to the possession of the tenancy premises and in view of the police taking steps on the complaint of the petitioner dated April 20, 2021 and April 21, 2021 which the police received on April 23, 2021, no further interference is called for by the writ Court. Police will conclude the investigations with regard to the complaints as noted above and submit their report before the jurisdictional court as expeditiously as possible.

W.P.A 11632 of 2021 is disposed of accordingly.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all legal formalities.

(Debangsu Basak, J.)