

03-08-2021

sl. no. 4

tkm/ct. 8

WPA 11765 of 2021

Bhabasindhu Mondal & Ors.

Versus

The State of West Bengal & Ors.

(Through Video Conference)

Mr. D Sardar

... for the petitioners

Mr. Jishnu Chowdhury

Ms. A Panja Moulick

... for the State

Petitioners complain of police inaction.

Learned advocate for the petitioners submits that the petitioners are the owners of an immovable property and are in possession thereof. The private respondents are trying to disturb the possession of the petitioners. The police are inactive.

Learned advocate for the State submits on instructions that the complaint of the petitioners was registered as a FIR and on conclusion of investigation, a charge sheet was submitted. He submits that during investigation, the police learnt that, although the petitioners claim title over the immovable property, private respondents are in actual possession. The petitioners attempted to take possession sometime in 2016. There was a murder over such incident. The petitioners are now trying to take possession also. Such attempts create law and order situations.

In the facts of the present case, it appears that there are disputes between the private parties with regard to an immovable property. The police acted on the complaint of the petitioners and on conclusion of investigation, submitted a charge sheet thereon.

The police taking steps, as noted above, further interference by a writ court is not called for. The private parties are at liberty to avail of their remedies before the appropriate forum in accordance with law.

WPA 11765 of 2021 is disposed of without any order as costs.

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

(DEBANGSU BASAK, J.)