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(Through Video Conference)

WPA 12674 of 2021

Ananda Naiya

Vs.

The State of West Bengal & Ors.

Mr. Syed Arif Ahmed, Advocate
... ... for the Petitioner

Mr. Rajarshi Basu,
Mr. Pinaki Bhacharyya, Advocates
... ... for the State

Petitioner complains of police overaction.

Learned advocate appearing for the petitioner submits that the police are preventing the petitioner from making construction at his residence.

Learned advocate appearing for the State submits on the basis of instructions that complaint was inquired into and that the police submitted a prosecution under Section 107 of the Criminal Procedure Code.

Apparently, there are disputes between the private parties with regard to the immovable property concerned. According to the petitioner, there is no right, title and interest of the private respondent in the immovable property concerned.

Right, title and interest in respect of immovable properties between two citizens need not be decided upon by a writ court. It is for the petitioner to establish his right, title and interest in respect of the immovable property before the

appropriate forum. Interference by the writ court is not called for.

The police taking steps on the complaint as noted above, WPA 12674 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)