

02.12.2021
Court No.13
Item No.25
AP

WPA 14411 of 2021

**Subrata Roy
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Debasis Sur
Mr. Angsuman Patra
Mr. Harekrishna Halder

... For the Petitioner.

Mr. Arjun Roy Mukherjee, Senior Advocate
Mr. Priyabrata Ghosh

... For the State.

The petitioner is aggrieved by the fact that police have not intervened to restore possession of a flat from which the petitioner claims to have been dispossessed.

Learned counsel for the petitioner submits that by an order dated 3rd July, 2015 in WP 28911(W) of 2014 passed by a Single Bench of this Court the petitioner was allowed to pursue remedies before the concerned Executive Magistrate under the Code of Criminal Procedure. The petitioner obtained some relief from the Executive Magistrate and thereafter claims to have been thrown out.

Assistant Commissioner of Police-III, Chandannagar Police Commissionerate has submitted a report dated 18th February, 2021 to the Commissioner of Police, Chandannagar Police Commissionerate indicating that the FIR lodged at the instance of the petitioner against the private respondent, has resulted in FRT.

This court is of the view that the dispute between the petitioner and the private respondent is purely civil in nature. The Police have nothing to do with the matter.

In the circumstances, reserving liberty to the petitioner to approach Civil Court for appropriate relief, the writ petition is dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)