

29.11.2021.
Court No.13
Item No. 5

pk

**W.P.A. No. 17897 of 2021
(Through Video Conference)**

**Bhargab Sales Private Limited and another
Versus
The State of West Bengal & Ors.**

Mr. Saptangsu Basu
Mr. Sukanta Chakraborty,
Mr. Anindya Halder.

...For the petitioners.

Mr. Amal Kumar Sen,
Mr. Mansoor Alam.

...For the State.

Mr. Siddhartha Banerjee,
Mr. Pijush Biswas,
Mr. Abhisek Baran Das,
Mr. Subir Banerjee

..For the respondent nos. 10 to 12.

Petitioners complain of police inaction. It is submitted that the private respondents are preventing constructions over the property on which his title has allegedly been decided by a civil court in Misc. Appeal No. 22 of 2019 by the Additional District Judge, 16th Court, Alipore.

Private respondents claim that the petitioner has no title to the said property and that there are appeals and civil proceedings pending against the petitioners.

This Court clearly sees that the dispute raised by the petitioners is in essence a dispute with regard to the land and title, inter alia, against the private respondents.

This Court does not see any inaction on the part of the police. The plaintiff may, inter alia, seek

enforcement of the orders passed in the aforesaid civil proceedings in accordance with law.

The Officer-in-Charge, Pragati Maidan Police Station is, however, directed to ensure that there is no breach of peace in the area.

Since no affidavit has been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)