

06/07/2021
Item No. 11
Court No.8.
S. DE

Through Video Conference

W.P.A. 8546 of 2020
With
I.A. No. CAN 1 of 2020
(CAN not found)

Nirmal Bahalia & Ors.

Versus

The State of West Bengal & Ors.

Mr. Pinaki Ranjan Chakraborty,
...for the petitioners.

Mr. Ranjit Rajat
...for the State respondents.

Mr. Amitabh Mukherjee,
Ms. Ankita Ghosh,
...for the private respondents.

The petitioners complain of police inaction.

Both the interim application and the main writ
petition are taken up for consideration.

It is submitted on behalf of the petitioner that
there are disputes with regard to the recording in the
record of rights relating to the immovable property
concerned and that the petitioners are taking steps
with regard thereto. The police are not taking steps in
respect of the complaint lodged.

Learned counsel appearing for the State submits
that, the police acted on the basis of the complaints

received and that, on enquiry, the police learnt that the disputes between the private parties are civil in nature and relates to an immovable property. Nonetheless the police submitted a prosecution under Section 107/116(c) of the Criminal Procedure Code.

It appears from the report dated November 23, 2020 and the submission on behalf of the State that, the police enquired into the complaint and submitted a prosecution under Section 107/116 (c) of the Criminal Procedure Code. Moreover, it appears that there are disputes between the private parties relating to an immovable property which are largely civil in nature.

In such circumstances, no further interference is called for.

WPA 8546 of 2020 is disposed of along with the application being CAN 1 of 2020, accordingly.

No order as to costs.

Urgent certified Website copy of this order, if applied, be supplied to the parties, upon compliance of all requisite formalities.

[Debangsu Basak, J.]