

19/07/2021
Item No. 15
Court No.8.
S. DE

Through Video Conference

W.P.A. 9851 of 2020

Rashbihari Dolai.

Versus

The State of West Bengal & Ors.

Mr. Gouranga Kr. Das,
...for the petitioner.

Mr. Suman Sengupta,
Mr. Saikat Chatterjee
...for the State.

The petitioner complains that, the private respondents are preventing the petitioner from making a construction despite money being allotted by the Government to do so.

Learned advocate appearing for the State submits that, the complaint of the petitioner was enquired into. On enquiry, the police learnt that, the petitioner was making a construction over an immovable property where there are other co-owners who are obstructing such construction.

According to the police, the disputes between the private parties are civil in nature and relates to immovable property. The police submitted a prosecution under Section 107 of the Criminal Procedure Code.

In the facts of the present case, it is submitted that, the petitioner is seeking to make a construction on an immovable property where there are other co-sharers. Such co-sharers are objecting to such construction being made. The disputes, therefore, between the petitioner and the private parties are civil in nature and relates to immovable property. The complaint of the petitioner was enquired into and a prosecution under Section 107 of the Criminal Procedure Code submitted.

In such circumstances, no further interference is called for.

W.P.A. 9851 of 2020 is disposed of accordingly.

[Debangsu Basak, J.]