

06-04-2022
ct no. 13
Sl. 35
sp

**WPA 105 of 2022
(Through Video Conference)**

Arup Shyamal & Anr.

-Versus-

State of West Bengal & Ors.

Mr. Sujit Rath,
Mr. Anirban Saha,

.....for the petitioners

Mr. Pantu Deb Roy, Id. A.G.P.,
Mr. Subrata Guha Biswas

...for the State

Mr. A. Santra
...for the respondent nos. 6-10, 12, 13 and 15 to 17

The petitioners complain that the privates are disturbing and interfering with the possession of shop rooms and their property. A complaint is stated to have been made to the Belda Police Station, Paschim Medinipur but in vain.

Counsel for the State has produced instructions from the Belda Police Station. It appears that in respect of a complaint, FIR has been registered in August, 2018, which has resulted in a charge sheet No.331/2018 dated September 30, 2018. There are a number of civil suits filed by the petitioners against the private respondents. A large number of complaints have also been filed before the Belda Police Station and the Executive Magistrate and the Superintendent of Police, Paschim Medinipur.

This Court notes that the dispute is primarily in connection with a property and partition and demarcation thereof. The disputes are pending adjudication in Civil Courts. The petitioners may approach the Civil Court for enforcement of any order of injunction that may have been passed.

In so far as the complaints of the petitioners are concerned, this Court is satisfied that the appropriate steps have been taken by the Belda Police Station.

The petitioners claim that they need police protection.

The Officer-in-Charge, Belda Police Station shall consider the request of the petitioners for appropriate protection in accordance with the applicable rules and at the cost of the petitioners.

The Officer-in-Charge, Belda Police Station shall, however, maintain a strict vigil on the said premises and ensure that there is absolute no breach of peace.

Counsel for the private respondents also indicates that his client will not create any breach of peace in the said area.

The parties may abide by any decision that may be passed by the Civil Court.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

The instructions of the Belda Police Station dated 16.01.2022 is kept with the record.

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

(Rajasekhar Mantha, J.)