

S/L 51
08.06.2022
Court. No. 19
GB

WPA 685 of 2022

Anjan Ghosh
VS
The State of West Bengal & Ors.

Ms. Shikha P. Chowdhury.

...for the Petitioner.

*Mr. Amitesh Banerjee,
Mr. S. Adak.*

...for the State.

*Mr. Rwitendra Banerjee,
Mr. Shibasis Chatterjee.*

...for the Respondent Nos.7 to 32.

Affidavit-of-service filed in Court today, be kept with the record.

It is the contention of the petitioner that after the assembly election, the petitioner and his family members were displaced by the members of the ruling party as they belonged to a rival political party. It now transpires that the petitioner is in jail custody. The petitioner prays that the family members of the petitioner may be put back in possession of their residential accommodation.

The learned advocate for the respondent nos.7 to 32 deny the allegation of threat and displacement of the petitioner. It is submitted that they are local villagers and have never tried to threaten or intimidate the petitioner.

The police authorities have filed a report, from which it appears that the anticipatory bail application, which was filed by the petitioner was rejected. The petitioner thereafter surrendered before the learned judicial magistrate, sadar Hooghly and his prayer for bail was also rejected. The residence was found under lock and key. It also appears from

the police report that an altercation took place on May 4, 2021 between the petitioner and some of the residents of the village. FIRs have also been registered against those persons, who were involved into quarrel. Charge-sheets have also been filed. The petitioner and his father are also accused in a criminal case.

Having heard the learned counsel for the respective parties this Court is of the view that justice would be subserved if the writ petition is disposed of by directing the Officer-in-Charge, Dhaniakhali Police Station to put back the members of the family of the petitioner in possession of their residential house situated at village-Choutara, Post Office-Routhpur, Police Station-Dhaniakhali, without any resistance and peacefully. The family members of the petitioner shall identify themselves before the concerned Officer-in-Charge, Dhaniakhali Police Station, Hooghly, Rural Police District.

The pending proceedings against the petitioner, his father and others shall continue in accordance with law.

As no affidavits have been called for, the allegations are deemed to be denied.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)