

21-04-2022
ct no. 13
Sl. 11
sp

WPA 3347 of 2022

Nilay Mitra
-Versus-

The State of West Bengal & Ors.

Mr. Bidhayak Lahiri

.....for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Ms. Ipsita Banerjee

...for the State

Mr. Kishore Datta, Id. Sr. Adv.
Ms. S. Shaw

...for the respondent no.8

The writ petitioner complains that the private respondent no.8, who is promoter in respect of a portion of a property, is disturbing the petitioner, who is living in another portion. It is submitted that the Respondent No.8 has put padlock on the petitioner's portion of the property alongside demolishing certain rooms without the knowledge of the petitioner.

It is submitted that all attempts have been made to evict the petitioner from the said property. The writ petitioner claims that he has been residing there as a caretaker for the last 34 years.

Counsel for the respondent no.8 submits that the petitioner is in possession in the said

property and that her clients are not, in any way, disturbing the petitioner.

This Court is of the view that the dispute between the petitioner and the private respondent is purely civil in nature, and the police cannot, in any way, intervene in such a matter.

However, since the petitioner has complained of assault, threats intimidation and damage to his property, the Officer-in-Charge, Manicktala Police Station shall enquire into the matter, and take suitable steps in accordance with law to ensure that the petitioner is able to live there peacefully.

The Officer-in-Charge, Manicktala Police Station, shall also ensure that there is no breach of peace in the area.

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

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)