

S/L 12
7.6. 2022
Court. No. 19
sn

WPA 5247 of 2021

Smt. Uma Ganguly
Vs.
The State of West Bengal & Ors.

Mr. Rudra Jyoti Bhattacharjee
Mr. Sanjay Bhattacharjee
Ms. Debjani Ghosal ... for the Petitioner

Ms. Jayeeta Sinha
Mr. Ranjit Rajak ... for the State.

Service upon the respondent nos. 4 to 7 has been refused by the said respondents. The postal articles with the endorsements 'refused' have been annexed to the affidavit of service. Let the affidavit of service be taken on record. The matter is taken up in the absence of the respondent Nos. 4 to 7.

The petitioner alleges that the police authorities have failed and neglected to provide protection to the petitioner, who is an old lady and was constructing her house on L.R. Dag No. 4435 (holding no. 45) under Champdani Municipality, Ward No. 17, of Library Road Colony, Police Station Bhadreswar, District Hooghly.

According to the petitioner, some members of a local club have been threatening the petitioner in order to extort money.

The petitioner has moved this Court, alleging total non-cooperation and inaction of the Inspector-in-Charge, Bhadreswar Police Station. The Inspector-in-

Charge, Bhadreswar Police Station has filed a report, from which it appears that upon enquiry it was found that the petitioner was encroaching a portion of the land belonging to the club. As a result of which, the members of the club raised an objection and hence the dispute arose. The police authorities upon enquiry also found that the allegation for demand of money, was not correct. A proceeding under Section 144(2) of the Code of Criminal Procedure has also been initiated by the petitioner before the learned Executive Magistrate, Chandannagar. According to the police authorities, the dispute was over property and the alleged encroachment.

Having considered the rival contentions of the parties, this Court is of the view that the issue with regard to title and encroachment etc. cannot be decided by this Court. However, the police authorities must ensure that the petitioner is not threatened in any way by the club members, for extortion of money.

The police report filed in Court today, be taken on record.

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.)