

18.05.2022

Ct. No. 13

Sl.10

pk

W.P.A No. 4962 of 2022

Mukhtar Ahmed @ Mukhtar and another
Vs.
State of West Bengal and others

Mr. M. P. Gupta,
Mr. Ayan Mitra

.... for the petitioners.

Ms. Sutapa Sanyal,
Ms. Susnita Saha

... for the State.

Mr. Debasis Kar

... for the private respondent nos. 6 to 8.

The writ petitioners complain that no steps have been taken by the Howrah Police Station despite complaints having been lodged. Counsel for the petitioners submits that as many as 20 complaints have been made.

Instructions of the O. C., Howrah Police Station dated 25.04.2022 addressed to the State advocate indicate that FIR No. 242 of 2019 dated 01.07.2019 under Sections 448/427/323/379/34 of the Indian Penal Code have been registered which has since been resulted in charge sheet dated 29.02.2020 against three persons.

Counsel for the petitioners submits that further complaints of interference with possession of property have been made and yet no action has been taken. The

petitioners may approach the concerned Magistrate under Section 156(3) of the Cr. P. C in that regard. In So far as the allegation of disturbance of the possession of the petitioners' property, they may take out appropriate civil proceedings against the private respondents.

There is absolutely no urgency found by this Court in this matter although the matter was listed on the ground of extreme urgency, by counsel for the petitioners.

The writ petition is therefore disposed of with costs assessed at Rs.3,500/- payable by the writ petitioners to the Howrah Police Station.

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.)