

S/L 37
24.06.2022
Court. No. 19
GB

WPA 10259 of 2022

Munsur Habibullah Sk.
VS
The State of West Bengal & Ors.

Mr. Jitendra Kr. Chaurasia.

...for the Petitioner.

*Mr. Ashim Kumar Ganguly,
Ms. Karabi Roy.*

...for the State.

Mr. Pradyat Saha.

...for the Respondent No.5.

Upon perusal of the police report as also the complaint lodged before the Inspector-in-Charge, Purbashatli Police Station, it appears that the dispute between the parties is with regard to title over certain lands, which the petitioner and the respondent no.6 had inherited. Further allegation is that, the respondent no.6 had sold out more than his share in the property, to the respondent no.5.

Clearly, the dispute is civil in nature and the remedy of the petitioner would be before the civil court with regard to such allegation. However, with regard to the allegation of threat, harassment, etc., the police authorities have enquired into the matter upon registering the general diary. Both the parties have been directed to maintain peace and tranquillity. Prosecution under Sections 107 and 166(3) of the Code of Criminal Procedure has been filed against the respondent no.5.

Accordingly, the writ petition is disposed of with a direction upon the police authorities to ensure that the

petitioner is not harassed or threatened by the respondent
nos.5 and 6.

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.)