

29.06.2022
Sl. No.38
srm

W.P.A. No. 10579 of 2022

Swapan Das

Versus

The State of West Bengal & Ors.

Mr. Asis Bhattacharyya,
Ms. Anamika Chakraborty

...for the Petitioner.

Mr. Raja Saha,
Ms. Piyali Sengupta

...for the State-respondents.

Despite service, none appears on behalf of the respondent No.5. Affidavit-of-service is taken on record.

It is the specific contention of the petitioner that the Inspector-in-Charge, Shibpur Police Station had received the complaint filed by the petitioner dated May 30, 2022, but still failed to take steps.

On the contrary, Mr. Saha, learned Advocate appearing on behalf of the police authorities, submits that the records of the police station do not reveal that any such complaint was ever filed. Mr. Saha submits that the respondent No.5 had filed a complaint against the petitioner and on the basis of the said complaint, a case has been registered being Shibpur Police Station Case No.164 of 2022 dated June 1, 2022 under Sections 341/323/506/34 of the Indian Penal Code. The

investigation is going on. It is further submitted by Mr. Saha that the petitioner, in effect, prays for eviction of the respondent No.5 from the premises in question. However, the possibility of law and order problem is not ruled out by the police authorities.

Under such circumstances, the police authorities shall keep a vigil and shall ensure that no untoward incident takes place over the dispute with regard to the property in question.

The writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)