

26.08.2022
Court No. 19
Item 213 (ML)
CP

WPA No. 15522 of 2022

Sri Nikhilesh Chowdhury
Vs.
The State of West Bengal & ors.

Mr. Sakya Maity
Mr. Soumen Bhattacharjee
...for the petitioners.

Mr. Jahar Dutta
Mr. Bipin Ghosh
....for the State.

Mr. Debjit Mukherjee
Mr. Prithwish Kr. Basu
Ms. Susmita Chatterjee
...for the respondent nos. 5 & 6.

Mr. Partha Pratim Roy
Mr. Dyutiman Banerjee
....for the respondent no. 4.

The police authorities have already enquired into the matter, pursuant to the direction of the learned Executive Magistrate, Barrackpore. Report has also been filed. Prosecution under Section 107 of the Cr.P.C. has been submitted against the respondent nos. 4 and 6.

Under such circumstances, the court does not find that the police authorities have a further role to play in the matter.

The allegation of dispossession, in violation of the ad interim order of injunction and the prayer for

restoration of possession, are already pending consideration before the learned civil court, where the petitioner has filed Title Suit No. 338/2017, in the court of learned Civil Judge (Junior Division), 2nd Court at Barrackpore.

The police authorities shall keep a vigil and maintain peace.

The court has not gone into the merits of the claims and counter-claims of the respective parties.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)