

05.09.2022
Court No.13
Item No.48
pk

WPA 15680 of 2022

Champak Das
Vs.
The State of West Bengal and others

Mr. Prabir Maji
...for the petitioner

Ms. Ipsita Banerjee
... for the State.

Mr. Sounak Bhattacharya,
Mr. Sounak Mandal
... for the respondent no. 6 to 11.

Affidavit of service filed in Court is taken on
record.

The writ petitioner complains that private respondents have ousted him from his land causing serious injury to his body. Medical reports to this effect are annexed. A complaint has been registered with the Raidighi Police Station on 14th August, 2021.

Counsel for the State submits that earlier complaint dated 31st July, 2022 and another FIR registered at the instance of the petitioner have been withdrawn. Proceedings under Section 107 of the Cr. P. C. and Section 116(c) of the Cr. P. C. have been drawn up against the private respondents. FIR No. 401 of 2022 dated 26th July, 2022 under Sections 341/323/506/34 of the IPC is pending.

Counsel for the private respondents submits that his clients do not intend to in any way disturb the

petitioner and that the petitioner may run his business smoothly. The private respondents agree not to disturb the peaceful possession of the petitioner.

In view of the submissions made by the counsel for the private respondents that they shall not disturb the petitioner's peaceful possession of shop room to run of his business and with the consent of counsel for the petitioner, Raidighi Police Station may close FIR No. 401 of 2022.

In the event, there is any obstruction in opening the shop room or any obstruction by the private respondents, Raidighi Police Station shall render all assistance to the petitioner.

Instructions of Raidighi Police Station addressed to the learned advocate for the State is taken on record.

The writ petition is disposed of.

There will be no order as to costs.

(Rajasekhar Mantha, J.)