

05.09.2022
Court No.13
Item No.49
AP

WPA 15692 of 2022

**Matabul Hossain Khan
Vs.
The State of West Bengal & Ors.**

Mr. D.K. Adhikari

... For the Petitioner.

Mr. Debasish Ghosh
Mr. D. Gomes

... For the State.

The petitioner is aggrieved by the fact that his family members particularly his brother is disturbing peaceful possession of his property since after transfer of certain lands of the petitioner to another brother. Complaint has been registered with the Raipur Police Station, which has not been attended to.

Counsel for the State submits that the private respondent has been summoned and appropriately warned.

This Court is of the view that the remedy of the petitioner is under Section 156(3) of the CrPC if the police do not register any FIR.

This Court notices that the disputes are primarily civil in nature and the parties may approach to a Civil Court in respect of their grievances in addition to the above.

The Officer-in-Charge, Raipur Police Station shall ensure that there is no breach of peace in the locale.

With the aforesaid directions, the writ petition is disposed of.

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.)