

23.06.2022
Sl. No.98
srm

W.P.A. No. 16575 of 2021

Mon Banerjee

Versus

The State of West Bengal & Ors.

Mr. Debobrato Roy,
Ms. Miru Hazra

...for the Petitioner.

Mr. Debjit Mukherjee

...for the State-respondents.

Despite service, none appears on behalf of the respondent
Nos.5 and 6. Affidavit-of-service is taken on record.

The complaint, which has been annexed to the writ
petition, states that the respondent Nos.5 and 6 were trying to
encroach upon and grab the property of the petitioner. Threat to
life and damage to the property have been alleged. Obstruction
to the free ingress and egress of the petitioner to and from the
property in question, has also been alleged. It has further been
stated that the respondent Nos.5 and 6 are living elsewhere, but
they have allegedly locked the portion, which was enjoyed by
the petitioner. The petitioner claims 50% share in the property,
on the basis of an heirship certificate and record of rights, which
have been annexed to the writ petition. A prayer has been made
before the police authorities, for police protection.

The police authorities have not come up with any report with regard to the action taken on the basis of the complaint.

The Inspector-in-Charge, Maheshtala Police Station shall consider and dispose of the complaint filed by the petitioner dated March 5, 2021, in accordance with law. Both the parties shall be heard. If there are disputes with regard to the title and interest of the property, remedies are before the learned Civil Court. However, the police authorities shall intervene in case any wrongful restraint, or threat or harassment is caused to the petitioner.

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.)