

16.09.2022.
Court No.13
Item No. 87
pk

W.P.A. No. 16993 of 2022

**Sk. Ansar
Versus
The State of West Bengal & Ors.**

Mr. Kajal Ray
... for the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas
... for the State

Sk. Siddique Rahaman,
Mr. Pradeep Kumiar
... for the respondent no. 5.

The writ petitioner is aggrieved by the alleged inaction on the part of the Kotwali Police Station in looking into an allegation of illegal claims to a property, by the private respondents.

It is submitted that the private respondents were illegally trying to enter their names into the records of the BL & LRO.

Counsel for the State submits the instructions of the Kotwali Police Station dated 8th August, 2022, which is taken on record. It appears from the instructions that the private respondents were found to have purchased the property in accordance with law.

Counsel for the petitioner vehemently opposes and disputes the same.

In view of the submissions made by the parties, this Court is of the prima facie view that the remedy of

the petitioner is to seek rectification of records or take out other civil proceedings against the private respondents. Based on any further evidence of any illegality against the private respondents, the petitioner may take out appropriate proceedings including lodging of further complaint.

The report in the form of instructions of Kotwali Police Station dated 8th August, 2022 shall be made available to counsel for the petitioner and the private respondents.

The Officer-in-Charge, Kotwali Police Station shall, however, ensure that there is no breach of peace in the area.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)