

31.10.2022.
Court No.13
Item No. 65
ap

W.P.A. No. 17515 of 2022

**Shri Pintu Sarkar
Versus
The State of West Bengal & Ors.**

Mr. Sobhan Majumder,
Mr. Himangshu Ghosh.

...For the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas.

...For the State.

The writ petitioner complains that the private respondents are restraining him from entering into his property.

Counsel for the State submits that in respect of an FIR against the petitioner, Charge-sheet No. 458 of 2011 dated 30.06.2011 under Sections 447/427/354/34 of the Indian Penal Code has been filed.

It appears from the records that Title Suit No. 40 of 2012 was filed by the parties and counterclaims have been filed thereat. The said suit has been dismissed.

In the above circumstances, no relief can be granted to the petitioner in the instant writ petition.

Inspector-in-charge, Nakashipara Police Station shall, however, continue to maintain strict vigil at the

said premises and ensure that there is absolutely no breach of peace in the area.

With the aforesaid directions, the instant writ petition shall stand disposed of.

Instructions of Inspector-in-charge, Nakashipara Police Station dated 15th August, 2022 addressed to the learned Government Pleader, High Court, Calcutta be taken on record.

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.)