

13.01.2022
Court No.13
Item No.20
pk

WPA 19053 of 2021

**Sri Nilkanta Chatterjee
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Anil Kumar Chattopadhyay

... For the Petitioner.

Ms. Chama Mookherjee,
Ms. Paramita Pal

... For the State.

Mr. Soumajit Bhatta

... for the respondent nos. 4 to 7.

The petitioner complains of inaction by the Sonarpur Police in respect of GD No.1229 dated 16th November 2021.

It is submitted by learned counsel for the writ petitioner that his client is under constant threat from the private respondents.

Learned counsel for the State submits that the writ petitioner and the private respondents are engaged in a dispute with regard to a land. Complaints and counter-complaints registered by the parties against one and another are being investigated by the Sonarpur Police Station.

A Charge sheet has also been filed in respect of one complaint filed by the private respondents against the writ petitioner.

Learned counsel for the private respondents submits that in respect of a civil dispute between the parties, T. S. No.148 of 2019 is pending before the Civil Judge (Junior Division), Baruipur. Three FIRs being Sonarpur Police Station Case Nos.1885 of 2016, 1338 of 2013 and 1017 of 2021 are also pending.

It is clear to this Court that the genesis of the dispute between the parties is primarily civil in nature.

However, since charge sheet has been filed by the Sonarpur Police against the writ petitioner and there are other complaints to be investigated by the Sonarpur police against both the parties, immediate and appropriate steps shall be taken up by the Officer-in-Charge, Sonarpur Police Station to prevent any untoward incident in the said area. A strict vigil shall be maintained by the police thereat to ensure that there is no breach of peace.

It is expected that pending FIRs should be investigated expeditiously and final reports should be submitted before the appropriate Court. GD No.1229 dated 16th November 2021 shall be registered as an FIR forthwith.

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

There will 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.)