

23.8.2022
Sl.No.510
sn

WPA 20717 of 2021

**Sunil Baran Mahapatra
Versus
The State of West Bengal & Ors.**

**Mr. D.K. Adhikari
Mr. D. Adhikari
Mr. D. Bhattacharyya ...for the petitioner**

**Sk. Md. Galib
Mr. Gourav Das ..for the State**

**Mr. Susanta Pal
Mr. Pradip Patra ..for the respdts.6-12**

The police report is taken on record.

The petitioner is granted liberty to approach the police authorities with his family members.

The petitioner will approach the Inspector-in-Charge, Raipur Police Station, and the police authorities shall assist the entry of the petitioner and his family members to their dwelling house where they used to reside. It is the contention of the parties that the said house was an undivided property.

Mr. Pal represents the other brothers, who are the private respondents.

Mr. Galib, learned advocate for the State respondents submits on instructions, that upon preliminary enquiry, it was found that the petitioner did not reside in the said house, since long. There is

also a dispute as to whether the partition suit is pending or not.

The issue with regard to the title, demarcation, partition by meets and bounds and possession etc. cannot be decided either by this Court or by the police authorities.

The police authorities will maintain peace.

This writ petition is disposed of.

There will be, however, no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)