

17.11.2022
Court No.13
Item Nos.50 & 51
AP

WPA 20731 of 2022
Smt. Sutapa Choudhury
Vs.
The State of West Bengal and Ors.

With

WPA 20590 of 2022
Srimati Tanushri Sarkar and Anr.
Vs.
The State of West Bengal and Ors.

Mr. Krishnendu Bhattacharya
Mr. Pryankar Ganguly
Ms. Shalini Bairagi

...For the petitioner in Item No.50
and private respondent in Item No.51.

Mr. Sanjib Kumar Mukhopadhyay
Ms. Nargish Parveen

...For the petitioner in Item No.51
and private respondents in Item No.50.

Mr. Subhabrata Datta
Mr. Bani Brata Datta

...For the State in Item No.50.

Ms. Sonal Sinha

...For the State in Item No.51.

The petitioner, Smt. Sutapa Choudhury, in WPA 20731 of 2022 complains that the private respondents/writ petitioners in WPA 20590 of 2022 have forcibly taken possession of a flat unit belonging to her. It is also submitted that a lot of her goods and articles including jewellery have been missing.

The private respondents/writ petitioners in WPA 20590 of 2022 submit that the flat unit was paid for and lawfully being occupied by them.

This Court is of the view that the disputes between the parties as regards the title to the flat unit in question is purely civil and private in nature and the police have no role to play in these matters. The parties may agitate other civil disputes before an appropriate civil forum.

On the complaint of the petitioner, of theft of articles, Rampurhat Police Station has registered FIR being Rampurhat Police Station Case No.460 of 2022 dated 11th August 2022.

The investigation into the FIR must be completed mandatorily and positively within a period of three months from date.

In respect of the complaint lodged by the petitioners in WPA 20590 of 2022, this Court is of the view that the same may be looked into by the Rampurhat Police.

Rampurhat Police, however, shall ensure that there is absolutely no breach of peace in the area. The parties also undertake before this Court that they will not create any breach of peace in the area.

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

There shall be no order as to costs.

Reports of the Rampurhat Police Station in respect of the two writ petitions are taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)