

S/L 122
23.6.2022
Court. No. 19
sn

WPA 21305 of 2021

Prafulla Kumar Roy
Vs.
The State of West Bengal & Ors.

Mr. S.N. Arefin
Mr. Partha Chakraborty
Mr.C. Debnath ... for the petitioner

Ms. Chaitali Bhattacharyya
Ms. S. Samanta ..for the State

Mr. Sayantan Mukherjee
Ms. Sayani Ahmed ..for the respdts.8-10

The dispute appears to be civil in nature. There is a pending criminal case against the petitioner being Deganga Police Station Case No. 706 of 2021 dated November 23, 2021 under Section 379/384/386/427/120B of the Indian Penal Code.

The allegation of the petitioner is that, despite a complaint having been lodged by the petitioner, before the Inspector-in-Charge, Deganga Police Station dated November 26, 2021, no steps have been taken by the police. The police authorities submit a report, from which it appears that there is a long standing dispute with regard to the possessory rights in respect of the plot in question.

The complaint lodged by the petitioner indicates that the club members tried to take possession of the land in question. When the petitioner objected, the club members threatened the petitioner. The petitioner

apprehends that the club members would not hesitate to kill the petitioner and his family members in future. It is submitted that a title suit is pending before the learned civil court and the same was dismissed for default.

Learned advocate for the respondent nos. 8 to 10 submits that an application for restoration of suit has been filed.

Under such circumstances, this writ petition is disposed of with a direction upon Inspector-in-Charge, Deganga Police Station to ensure that law and order is maintained and the petitioner and his family members are not caused any harm by the respondent nos. 8 to 10. The dispute with regard to title and possession will be decided by the civil court.

The police report is taken on record.

The writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)