

15-09-2022
ct no. 13
Sl.28
sp

WPA 20782 of 2022

Subodh Gope

-Versus-

The State of West Bengal & Ors.

Mr. Bipin Ghosh

....for the petitioner

Mr. Arijit Chakraborti,
Mr. Ratul Das

...for the respondent nos. 1 to 4

The petitioner is aggrieved that despite complaints addressed to the Uttarpara Police Station, Chandannagar Police Commissionerate, Hooghly, against the private respondent that the private respondent has broke open a lock on his tenanted premises and has stolen a lot of articles. The police have not taken any steps.

Counsel for the State produces instructions of the Uttarpara Police Station dated September 14, 2022, addressed to the State Advocate.

It appears that a civil suit being T.S. No. 159 of 2019 has been decreed against the writ petitioner. After receipt of the complaint from the petitioner, when investigation commenced, the petitioner did not cooperate. It is further indicated in the report that the local residents, including other co-tenants informed the police that the

petitioner left on his own with all his belongings. Counsel for the petitioner disputes the same.

Since the issue as regards the wrongful eviction of the petitioner has crystallized into a degree against the petitioner as to whether the petitioner has been dispossessed pursuant to a direction of the Civil Court or otherwise, must be agitated under the provisions of the CPC before the Civil Court itself.

In that view of the matter, this Court does not find any inaction on the part of the Uttarpara Police.

Hence, no relief granted to the petitioner.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

The instructions of the Uttarpara Police Station dated September 14, 2022, addressed to the State Advocate, is kept with the record.

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

(Rajasekhar Mantha, J.)