

05-06-2023
ct no. 13
Sl. 285
pk

WPA 509 of 2022

Esmatara Bibi

-Versus-

The State of West Bengal & Ors.

Mr. Mahammad Mahmud

... for the petitioner

Mr. Arun Kumar Saha

... for the State.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner complains that the Dadpur Police Station has not registered any FIR in respect of a complaint dated 18.09.2020.
3. It is submitted by the counsel for the petitioner that since after filing of the writ petition, FIR may have been registered.
4. Be that as it may, this Court is of the view that the petitioner should take out civil proceedings against the private respondents for injunction in respect of his property. Admittedly, the petitioner has purchased the property and the private respondents have lost preemption proceedings in respect of the same before the competent Court.

5. In the event of any further disturbance, the petitioner may take steps, inter alia, under Section 156(3) of the Cr. P.C.

6. The instant writ petition is thus disposed of.

7. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)