

16-03-2023

ct no. 13

sl. 6

sp

WPA 2249 of 2023

Debasis Biswas

-Versus-

State of West Bengal & Ors.

Mr. Rajib Kumar Basu

...for the petitioner

Mr. Pantu Deb Roy, Id. A.G.P.,

Mr. Subrata Guha Biswas

...for the State

Mr. Asis Kumar Biswas,

Ms. Jyoti Agarwal

....for the respondent nos. 4 to 8

The petitioner claims that the private respondents are disturbing and interfering with peaceful possession of his property.

The private respondents submit that a civil suit has been filed by the petitioner and a decree has been passed and satisfaction of the decree has been recorded by the learned Civil Judge (Jr. Division), Tehatta.

The petitioner had approached this Court in W.P.A. 9205 of 2022. A Co-ordinate bench of this Court had disposed of the writ petition by order dated July 25, 2022, directing the police to ensure that there is no breach of peace.

The petitioner complains that the private respondents continue to disturb him and he has lodged a further complaint.

The private respondents may take out appropriate civil proceeding with regard to their rights in respect of the property.

The Tehatta Police has filed a report dated 16.03.2023, which is taken on record.

It appears that an FIR being Tehatta PS Case No. 405/22 dated 22.05.2022 was registered on the petitioner's complaint and charge sheet being Tehatta PS CS No. 374/22 dated 31.05.2022 has been filed. A further FIR being No. Tehatta PS Case No. 101/23 dated 06.02.2023 has also been registered. One Uttam Mistri @ Bhaskar has been arrested.

Let the investigation into the subject FIR be completed as expeditiously as possible, preferably within a period of one month from date.

The Tehatta Police Station shall, however, ensure that there is no breach of peace in the area.

With the aforesaid observations, W.P.A. 2249 of 2023 shall stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)