

06-06-2023
ct no. 13
sl. 26
pk

WPA 5044 of 2023

Ashis Manna

-Versus-

State of West Bengal & Ors.

Mr. Palash Mukherjee

...for the petitioners

Mr. Ansar Mondal,
Mr. Hasibul Islam

...for the State

Mr. Sukumar Bhattacharyya,
Ms. Oindrila Chatterjee,
Ms. Swaralipi Sarkar

...for the respondent no. 5

1. The petitioner is aggrieved by alleged inaction on the part of the Malipanchghora Police Station in registering a complaint dated December 14, 2020.
2. The petitioner has effective alternative remedies under Section 156(3) of the Cr. P.C.
3. The private respondent submits that there is civil dispute pending, inter alia, for partition by and between the petitioner and the private respondent.
4. The petitioner complains that the private respondent is preventing him from entering into his property.

5. The private respondent vehemently opposes and denies the allegation of the petitioner. He submits that the petitioner is regularly visiting his property.
6. The parties may seek appropriate relief in respect of the property in the pending civil suits being T.S. No. 1281 of 2018, T.S. No. 32 of 2020 and T.S. No. 393 of 2021, pending before the learned Civil Judge (Jr. Division), 5th Court, Howrah.
7. With the aforesaid observations, the instant writ petition shall stand disposed of.
8. There shall be no order as to costs.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)