

03-01-2023
ct no. 13
Sl.293
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WPA 4136 of 2020
Citizen Tracom Pvt. Ltd.
-Versus-

The State of West Bengal & Ors.

Mr. Kajal Ray

....for the petitioner

Mr. Sanjay Saha

...for the respondent nos. 3, 4 and 5

Mr. Abhimanyu Banerjee

...for the respondent no.6

The petitioner complains that he has purchased a property under SARFAESI Act, 2002 from a bank in the year 2012 which has been registered in his favour in the year 2015. He claims that he has been wrongfully ousted from the said property for the benefit of the private respondents, who are now occupying the same property.

The private respondents submit that the grievance, if any, should be against the promoter and/or bank.

This Court is of the view that the dispute between the petitioner and the private respondents is purely civil in nature. If there is any evidence of criminality, for the omission on the part of the police to register complaint, the petitioner may approach the concerned magistrate under Section 156(3) of the Cr. P.C.

With the aforesaid observations, the writ petition 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.)