

11.04.2023
Court No.13
Item No.19
AP

WPA 8782 of 2022

**Shamsul Huda Biswas
Vs.
The State of West Bengal and Ors.**

Mr. Md. Abdullah Gazi

... For the Petitioner.

Mr. Asish Kumar Guha
Mr. Naven Ghosh Dastidar

... For the State.

The petitioner complains of inaction on the part of the Bongaon Police Station in respect of a complaint against the private respondents for obstruction.

The private respondents are the nephew and uncle of the petitioner. Admittedly, a civil suit has been filed by the petitioner being TS No.162/22 before the Learned Civil Judge (Junior Division), Bongaon, North 24-Parganas. Injunction in the said suit has been refused. The matter is now pending in appeal.

Bongaon Police has, on the petitioner's complaint under Section 144 of the CrPC, taken out proceedings under Section 107 and 116 of the CrPC.

The Bongaon police also submits that the petitioner's name does not feature in the Records of Right.

In view of the above, this Court does not find any inaction on the part of the Bongaon Police.

The petitioner may explore civil and/or other remedies in accordance with law.

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

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

There shall be no order as to costs.

Report of the Inspector-in-Charge, Bongaon Police Station, North 24-Parganas is taken on record.

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

(Rajasekhar Mantha, J.)