

22.05.2023
Ct. 7
D/L 11
ab/sb

WPA 9577 of 2023

Smt. Mithu Samanta

-Vs-

The State of West Bengal & Ors.

Mr. Tapan Roy
Ms. Komal Shaw
Mr. Sumit Shaw

.....for the petitioner

Mr. Daipayan Datta
Mr. Subhajit Chowdhury

....for the respondent Nos. 5-7

The petitioner complains of police inaction.

Learned advocate appearing for the petitioner submits that the police authorities have not taken any steps on the complaint dated April 10, 2023.

The learned advocate representing the private respondents submits that pursuant to the complaint dated April, 10, 2023, FIRs were registered being Sinthee Police Station Case Nos. 36 & 37 dated 25.04.2023 under Sections 341/323/354/509/506/114 of the Indian Penal Code. The learned advocate appearing for the private respondents further submits that the dispute pertains to the user of the common portions of a two-storied building in between the petitioner and the private respondents.

None appears for the State in spite of service.

Mr. Santanu Kr. Mitra, learned advocate, who usually represents the State, is present in Court and is requested to appear in this matter. Let the appointment of Mr. Mitra along with a junior of his choice be regularized.

The dispute with regard to the user of the common portions of a two-storied building cannot be decided by this Court sitting under Article 226 of the Constitution of India. However, since FIRs have been registered on the basis of the complaint lodged by the petitioner on April 10, 2023, the concerned Investigating Officer is requested to conclude the investigation process at the earliest.

With above observations and directions, the writ petition stands disposed of without, however, no order as to costs.

(**Hiranmay Bhattacharyya, J.**)