

26.06.2023
Court No.13
Item No.5
AP

WPA 9580 of 2023

**Ganga Parshi @ Ganga Pashi Singh
Vs.
The State of West Bengal & Ors.**

Mr. Tapan Roy

... For the Petitioner.

Ms. Amrita Panja Moulick

... For the State.

1. The petitioner is the mother of a victim in a trial inter alia under section 376 of the IPC, section 8 of the POCSO Act and section 25(1A) & 35 of the Arms Act. Some of the private respondents are relatives of the petitioner.

2. Learned counsel for the State has produced a report in the form of instructions issued by the Inspector-in-Charge, Lake Town Police Station addressed to the learned Government Pleader and the same is taken on record.

3. There is indeed a long-standing property dispute between the parties. There is a civil suit being TS No.75 of 2016 pending before the Civil Judge (Junior Division), 3rd Court, Sealdah against the respondent No.4 for declaration and injunction in respect of the property.

4. In the above circumstances, this Court is of the view that the dispute raised by the petitioner is purely civil in nature.

5. The petitioner may seek appropriate interim relief for repair of roof including against dispossession in the pending civil suit.

6. Lake Town Police shall ensure that the witnesses in the trial are appropriately protected.

7. With the aforesaid directions, the 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.)