

12-06-2023  
ct no. 13  
Sl. 36  
Sayandeep

**WPA 12297 of 2023**

Jane Alam Gazi  
**-Versus-**  
State of West Bengal & Ors.

Mr. N.I. Khan  
Mr. Amlan Kr. Mukherjee  
...for the petitioner

Mr. Bani Brata Dutta  
...for the State

Mr. Amit Ranjan Pati  
Mr. Muhammad Jawad  
Ms. Salma Khatoon  
.....for the respondent Nos. 4 to 10

1. The petitioner complains of alleged inaction on the part of the Sonarpur police Station.
2. The petitioner has obtained a decree in civil suit being 61 of 1992 on 18<sup>th</sup> December, 2006. The decree is for partition. The petitioner got possession of his property. The private respondent claims to have purchased portion of the share of the other share holders of the petitioner's property. They themselves also have shares independently in the said property. They have, for the aforesaid purpose, filed another civil suit being No. 139 of 2021 before learned Civil Judge (Senior Division) Baruipur.
3. On two occasions when the petitioner went to visit his property that has been demarcated, he

claims to have been assaulted and threatened and intimidated by the private respondent.

4. The Sonarpur police Station has registered a FIR being number 382 of 2023 dated 19.04.2023. The petitioner has lodged a further complaint dated 28<sup>th</sup> April, 2023. The said complaint may be investigated along with FIR No. 382 of 2023 dated 19<sup>th</sup> April, 2023.
5. Counsel for the private respondent undertakes that his client shall not interfere with the petitioner's property. The petitioner shall likewise not interfere with the property of the private respondent.
6. The investigation of the FIR No. 382 of 2023 shall be completed within a period of one month from date.
7. Any civil dispute between the parties may be adjudicated before a appropriate civil forum.
8. The Sonarpur police Station shall ensure that there is no breach of peace in this area.
9. With the aforesaid directions, the writ petition is disposed of.
10. There shall be no order as to costs.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**

