

Satyabrata Munsî  
-vs-  
State of West Bengal & ors.

Mr. Mukteswar Maity  
Ms. Manika Sarkar  
...for the petitioner  
Mr. Srikanta Paul  
...for the private respondents

Mr. T.M. Siddique  
Ms. Adrika Pandey  
....for the State

This is an application under Article 226 of the Constitution of India, inter alia, praying for direction upon the respondent authorities to render police assistance for protection of his life and peaceful living.

Report filed on behalf of the State is taken on record.

Copy of the same is handed over to the learned counsel for the other side.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of a house in a particular locality. The private respondents are the villagers who had been harassing and intimidating the petitioner. After a point, the private respondents did not even allow the petitioner to enter his own house. There are some cases pending against the private respondents and one against the present petitioner. But, the private respondents have not right to prevent the petitioner from entering into his

own house.

Learned counsel appearing on behalf of the private respondents submits as follows. It is denied and disputed that the private respondents had caused any threat or hindrance to the petitioner rendering them homeless. They are not going to do the same in future either. However, there is a case pending against the petitioner.

Learned counsel appearing on behalf of the State relies on report and submits as follows. Indeed, there is a criminal case pending against the present petition. However, nobody has a right to prevent the petitioner from entering his own house.

I have heard the submissions of the learned counsels for the parties and have perused the writ petition and the report.

It appears that there is a case pending against the present petitioner, which indeed needs to be taken to its logical conclusion.

If there is any other issue involved, the police shall be at liberty to take steps against anyone involved like initiating a proceeding under Section 107 of the Code.

However, the private respondents or any other villagers for that matter do not have any right to prevent the petitioner from entering his house.

Let the respondent police authorities shall render adequate police assistance to the petitioner so that he can enter his house on 14.07.2023 at 4 PM.

With these observations, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**