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Ct 39

WPA 14869 of 2021

Debasish Ghosh
-vs-
State of West Bengal & ors.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha
...for the petitioner
Mr. Rohit Das
Mr. Indradip Das
Mr. Kishar Rahaman
...for the respondent nos. 6, 7
Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
...for the State

This is an application under Article 226 of the Constitution of India, *inter alia*, praying for a direction upon the respondents to inquire into the representations made by the petitioner dated 22.08.2021 and 31.07.2021.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a businessman dealing in Ghee and is the proprietor of Punjab Haryana Ghee Depot situated at 10/1, 1/C Kalakar Street, Kolkata. His brother has raised a dispute regarding claim to certain portion of the business premises. Cases are pending. In the meantime, the private respondents and others had forcibly entered into the shop and assaulted the complainant and his family members. The matter was reported to the police station, but no action was taken.

Learned counsel for the private respondents submits that this is a dispute between brothers over ancestral

property. A civil suit is pending before the learned City Civil Court.

Learned counsel appearing on behalf of the State relies on a report dated 31.07.2021 filed by the Officer in Charge of Posta Police Station and submits as follows. This petition is a fallout of a dispute between brothers over family property. There is a civil suit pending. There are several cases and counter cases between the adverse parties. In fact, after receiving the representations of the petitioner as mentioned in the writ petition, appropriate action was taken by the police authorities. Till date, four cases have been registered for or against the petitioners being Posta Police Station Case No. 87 dated 21.07.2021, Posta Police Station Case No. 91 dated 04.08.2021, Posta Police Station Case No. 133 dated 02.10.2021 and Posta Police Station Case No. 134 dated 04.10.2021. Apart from those, proceedings were started, one against the petitioner and the other against the private respondents under Section 107 of the Code.

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

It appears that necessary action has been taken in respect of the representations made by the petitioner.

There are several cases and counter cases between the parties and a civil suit also pending regarding the property in question.

As the primary grievance of the petitioner that his

representations were not responded to by the petitioner has been resolved, no further order need be passed by this Court.

Accordingly, the writ petition is disposed of without any costs.

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.)