

09 03.08.2023
NB Ct. 14

WPA 15260 of 2023

Pankaj Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Sumanta Chakraborty,
Mr. Samirul Sardar.
...for the petitioner.

Mr. Gourav Das (led by Md. Sk. Galib.)
....for the State.

Mr. Bibek Chatterjee,
Mr. Tanmoy Chakraborty,
Ms. Paramita Sahu,
Ms. Susmita Saha.
...for the respondent nos.5&6.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities, especially the respondent nos.2 to 4 to provide immediate police protection to the petitioner in view of the complaints made by the petitioner.

Affidavit of service filed on behalf of the petitioner is taken on record.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondents have been causing annoyance and disturbances to the petitioner. On one occasion, they even came inside the petitioner's flat and assaulted the petitioner. For this, the petitioner was constrained to lodge an FIR. Even after registering of the FIR, such disturbances have continued unabated. The private respondents would keep some heavy things in front of the petitioner's door or do any other

mischievous. No steps have been taken by the private respondents regarding the incidence of 3rd June, 2023.

Learned counsel appearing on behalf of the private respondents submits as follows. There is a long-standing dispute between the private parties over nonpayment of maintenance for the flat, which is occupied by the present petitioner. Allegations have been levelled from both the parties. However, the private respondents deny the allegations.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the previous complaint of the petitioner, a specific FIR was lodged. Charge sheet was also submitted. Even on the complaint of June, 2023, a GD Entry was lodged. The police is keeping a sharp vigil at the locale.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition and the report filed by the State.

It appears that the police have taken steps by registering an FIR and thereafter, lodging a GD Entry. They are keeping a vigil at the locality. They shall be at liberty to initiate any proceeding under Section 107 of the Code, if required.

No further order need be passed in this case.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)