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18.10.2023
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Ct 14

WPA 15359 of 2023

Smt. Rina Devi & another
-vs-
State of West Bengal & ors.

Mr. Tanmoy Roy
Mr. Debdatta Raha
...for the petitioners

Mr. Somnath Ganguli
Ms. Priyamvada Singh
...for the State

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

Learned counsel appearing on behalf of the petitioners submits as follows. In 2002, the petitioners had purchased a flat from the private respondent nos. 5 to 8. The owner of the land being the private respondent no. 4 started creating trouble when the petitioner was having the interior work done in the said flat. Later on it transpired that there was an agreement for building promotion between the owner and the promoter. The flat that was sold to the petitioner was from the promoter's allocation. Yet, the owner of the land continued to get threats and cause trouble and he obstructed the petitioner from entering into his own flat. In fact, the petitioner was dispossessed by use of force. Some time later, the Officer in Charge of Dakhineswar Police Station called him and threatened him not to try to enter into his own flat. However, later on, the petitioner was able

to take back possession of the property in question. But there is an imminent fear and threat of retribution from the private respondents.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. A civil dispute exists between the private parties. An application under Section 144 of the Code was filed in which the police has made an inquiry. The police are keeping a close watch on the developments in the locality.

It appears that there is a civil dispute between the private parties.

If any of the private parties seeks to obtain any further relief in respect of the said property, the same has to be before the learned Civil Court.

Therefore, no further order need be passed in this regard.

However, the respondent no.9 shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)