

Smt. Rina Aguan
-vs-
State of West Bengal & ors.

Mr. Anil Kr. Chatterjee
Mr. Dinesh Pani
....for the petitioner
Mr. Santanu Kumar Mitra
Mr. Amartya Pal
...for the State

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities, especially the respondent no.3 to take immediate steps against the private respondents so that the petitioner and her mother can live peacefully in their premises and they are allowed to perform puja at Radha Gobinda Jew Temple situated in the property.

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

Despite service, no one appears on behalf of the private respondents.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and her mother are the co-sharers of the property in question where there is a Radha Gobinda Jew Temple in which the petitioner's mother

performs puja. Some of the other co-sharers and other relatives had been disturbing the petitioner and her mother in their stay at the premises as also in performance of worship at the temple. On some occasions, the assailants have seriously assaulted and intimidated them. The petitioner was constrained to lodge a complaint in this regard, but the police have not taken necessary action.

Learned counsel appearing for the State relies on the report and submits as follows. On the complaints from the petitioner's side, three FIRs were registered. Therefore, police has taken sufficient steps. After investigation, charge sheets were submitted in all the FIRs.

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

So far as the civil dispute between the adverse parties is concerned, it is for the parties to approach the Civil Court for an appropriate relief.

As regards the petitioner's grievance regarding police inaction in respect of complaints made by the petitioner, the police have already taken sufficient steps in this regard. FIRs were lodged and charge-sheets were submitted.

Therefore, there is no need to pass any further order in this writ petition.

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

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.)