

D/L
Item No. 27
14.07.2023
KOLE

WPA 15763 of 2023

Abani Bhushan Gayen
-Vs.-
The State of West Bengal & Ors.

Mr. Goutam Banerjee,
Mr. S. Kr. Mondal,
Mrs. P. Day,
Mrs. R. Das,

...for the petitioner.

Mr. Gourav Das,
Mr. D. Chatterjee,

...for the State.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent police authorities to take appropriate steps against the private respondents on the basis of the written complaints of the petitioner and to provide adequate police help.

Affidavit of service filed in court today is taken on record.

It does not appear that all the private respondents could be served with notice.

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

Considering the exigency made out, the matter is taken up for hearing.

Learned Counsel appearing for the petitioner submits as follows. The petitioner purchased a land and had it mutated in his name, but the private respondents started to disturb and harass the petitioner. They would barge into the shop premises and stayed there at night. A complaint was

made before the police authorities, but no effective steps were taken.

Learned Counsel for the State relies on the report and submits as follows. There are long standing disputes between the private parties. However, the police did act on the complaint lodged by the petitioner. A proceeding was initiated under Section 107 of the Code. The police is keeping a strict vigil at the locale.

I have heard learned Counsels for the parties and have perused the writ petition and the report filed by the State.

It appears that the police have already taken some steps in connection with the complaints made by the petitioner. They have initiated a proceeding under Section 107 of the Code and are also looking after the overall security situation prevailing there.

In view of the above, there is no need to pass any other specific order.

However, the police shall maintain a close watch at the locale and ensure that no harm is done to the present petitioner.

Since affidavits were not called for, the allegations made in the writ petition are deemed not to be admitted by the respondents.

The writ petition stands disposed of without any order as to costs.

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

(Jay Sengupta, J.)