

18 30.08.2023
NB Ct. 14

WPA 18655 of 2023

Bhupati Baidya
Vs.
The State of West Bengal & Ors.

Mr. Gopal Mondal.
...for the petitioner.

Mr. Tarak Karan.
....for the State.

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 are the relatives and co-sharers of the petitioner in the same property where they reside. The private respondents had been creating disturbances to the peaceful possession of the petitioner's portion of the property. He was constrained to file police cases and initiate other proceedings in this regard. Yet, the disturbances continue unabated. A complaint was made before the police station. But, no action was taken.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On a complaint filed by the petitioner, a specific FIR was earlier lodged in the year 2016. A charge sheet was submitted thereafter. Subsequently, several proceedings have been initiated in respect of the troubles faced by the petitioner and the private respondents including under Section 107 of the Code of Criminal Procedure.

There are two proceedings under Section 144 of the Code as well.

Therefore, it appears that the police have taken steps on the complaints made by the petitioner over the years.

Therefore, 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.)