

27-02-2023
ct no. 13
Sl.15
pk

WPA 19323 of 2022

Pradip Adhikary

-Versus-

The State of West Bengal & Ors.

Mr. Bikash Goswami

....for the petitioner

Mr. Swarup Saha

...for the private respondent nos. 10 and 11

The Tiljala Police Station has filed a report dated February 27, 2023, which is taken on record.

It appears from the report of the Tiljala Police Station that there are swings, and children playing in the vacant plot in question.

Counsel for the petitioner submits that the swing has been installed by the private respondents sometime in May, 2022.

It is submitted that the private respondents are demanding sums of money from him to construct on the property that has been obtained by him under a decree of Civil Court.

This Court is of the view that the petitioner seeks enforcement of private rights in respect of property. In respect of any inaction by the police, the petitioner may approach the Magistrate under Section 156(3) of the Cr. P.C. after complying with the requirements of law.

The Tiljala Police Station shall, however, ensure that there is absolutely no breach of peace in the area.

Let a copy of the report be given to the petitioner.

The petitioner may also seek civil remedies in respect of his claim on the property in question.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)