

September 15, 2023
AD 31
Court No.14
SG

WPA 20394 of 2023

Bidyut Sarkar
vs
State of West Bengal and others

Ms. Madhu Jana
... for the petitioner

Mr. Ashim Kumar Ganguly
Ms. Jyotsna Roy Mukherjee
... for the State

Mr. Biswajit Hazra
Mr. Archisman Sain
... for the respondent Nos.4 to 9

Affidavit of service filed in Court is taken on record.

A report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the owner of the property in question. Some construction work is going on. A tin shed is being constructed over the said property. In the petitioner's absence, the private respondents intimidated the workers. Two complaints were made before the police authorities, but no steps were taken.

Learned advocate for the private respondents submits as follows. The allegations made in the writ petition are denied. Two FIRs have been registered on the complaints made by the petitioner and the private respondents have been enlarged on bail in respect of both.

Learned advocate for the State relies on the report and submits as follows. On the complaint of the

petitioner, an FIR was lodged. The police are keeping sharp vigil in the locality.

It does not appear that a civil suit exists between the private parties. In spite of the same, it is alleged that the private respondents are disturbing the peaceful possession of the property.

It further appears that the police have acted and instituted at least one criminal case in this regard.

If the alleged harassment continues, the police shall take appropriate steps and explore the possibility of initiating a proceeding under Section 107 of the Code.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

If any untoward incident takes place or is apprehended by the petitioner, he shall be at liberty to call up the police and then they shall take steps in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]