

19-04-2023
ct no. 13
sl. 272
sp

WPA 20955 of 2022
Rashbihari Dolai
-Versus-

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya,
Mr. Sandip Kumar Mondal,
Ms. Anita Shaw,
Ms. Taniya Khatun (Saha)

...for the petitioner

Mr. Wasim Ahmed,
Sk. Md. Masud

...for the State

1. The petitioner complains of alleged inaction on the part of the Gobardhanpur Coastal Police Station. The private respondents according to the petitioner are disturbing him while constructing on his property.
2. In an earlier Writ Petition being W.P. 9851 (W) of 2020, a Co-ordinate bench of this Court vide order dated July 19, 2021 held that the dispute between the petitioner and the private respondents are civil in nature since both are co-sharers in respect of the property. Appropriate civil remedies may be sought by the petitioner against the private respondents.
3. The police shall, however, ensure that there is absolutely no breach of peace in the area.
4. The proceedings under Section 107 of the Cr. P.C. shall be taken to its logical conclusion.

5. With the aforesaid observations, the instant writ petition shall stand disposed of.
6. There shall be no order as to costs.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)