

26-04-2023
ct no. 13
sl. 281
sp

WPA 21498 of 2022
Anand Kumar Sharma
-Versus-

The State of West Bengal & Ors.

Mr. Prasenjit Mukherjee,
Mr. Tirthankar Mukherjee,
Ms. Madhurima Sarkar,
Ms. Sucheta Pal

...for the petitioner

Mr. Tapan Kumar Mukherjee,
Ms. Debdooti Dutta

...for the State

Mr. Prantick Ghosh,
Mr. Prasad Bhattacharyya,
Mr. Bitan Das

...for the private respondents

1. The petitioner claims that the private respondents are disturbing possession of his property. He claims to have obtained the property from one Balivada Shivaprasad against money advanced for securing a job. The job could not be secured.
2. The said Shivaprasad is stated to have executed conveyance in favour of the petitioner.
3. The private respondents are represented. They claim that they have filed T.S. No. 350 of 2022 in respect of the property which is now pending before the learned Civil Judge (Jr. Division), 1st Court at Barrackpore. They claim to be in possession of the property.
4. This Court is of the view that the Bizpore Police Station cannot decide the civil rights in respect of

the property between the petitioner and the private respondents.

5. The parties may obtain appropriate civil remedies either in the pending proceeding or in any other civil proceeding they may institute in accordance with law.
6. The Bizpore Police Station shall, however, ensure that there is absolutely no breach of peace in the area.
7. With the aforesaid observations, the instant writ petition shall stand disposed of.
8. There shall be no order as to costs.
9. Report of the Bizpur Police Station dated 05.04.2023 is kept with the record.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)