

12.04.2023.
Court No.13
Item No. 26
ap

W.P.A. No. 21986 of 2022

**Gopal Yadav
Versus
The State of West Bengal & Ors.**

Mr. Pintu Karar.

...For the petitioner.

Mr. Amitesh Banerjee, Sr. Standing Counsel,
Mr. Suddhadev Adak.

...For the State.

Mr. Soujanya Bandyopadhyay.

...For the respondent nos.5 to 7.

The petitioner claims of alleged inaction on the part of the Golabari Police Station in dealing with the complaint dated 13th July, 2022.

It appears from the instructions of the State and the submissions of the private respondents that there is a landlord-tenant dispute between the petitioner and the private respondents.

There is Title Suit No. 148 of 2022 pending before the learned Civil Judge (Senior Division) 2nd Court at Howrah between the parties. The petitioner is only one of the co-sharers in the property. Civil suit has been filed by another co-sharer against the private respondents.

In the backdrop of the above, the question of evicting the private respondents from the property,

much less under Article 226 of the Constitution of India, does not and cannot arise.

In view of the above, no relief can be granted to the petitioner in this writ petition.

The Officer-in-charge, Golabari Police Station shall, however, ensure that there is no breach of peace in the area.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)