

03.05.2023.
Court No.13
Item No. 344
ap

W.P.A. No. 22687 of 2022

**Namita Bhunia
Versus
The State of West Bengal & Ors.**

Mr. Raj Kumar Sain.

...For the petitioner.

Mr. Wasim Ahmed,
Sk. Md. Masud.

...For the State.

Mr. Debanjan Banerjee.

...For the respondent nos.7, 8 & 9.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner complains of alleged inaction on the part of the Bhawanipur Police Station, Haldia against the private respondents that he has been illegally dispossessed after being assaulted.
3. Admittedly, there is a civil suit pending being Title Suit No. 262 of 2022 before the learned Civil Judge (Junior Division), Haldia filed by the private respondents against the petitioner.
4. The private respondents have lodged a complaint against the petitioner that has been registered as FIR.
5. In the event of any grievance of the inaction by the police, the petitioner may approach the concerned Magistrate under Section 156(3) of the Code of Criminal Procedure. Any civil remedies may be sought in the pending civil suit or any other civil proceedings in accordance with law.

6. This Court, therefore, finds no inaction on the part of the police. Bhawanipur Police Station, Haldia shall ensure that there is no breach of peace in the area.

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

8. There will be no order as to costs.

9. 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.)