

10.05.2023
Court No.13
Item No.354
AP

WPA 23108 of 2022

**Shyam Narain Upadhyay
Vs.
The State of West Bengal and Ors.**

Mr. Amit Mishra

... For the Petitioner.

Mr. Ashim Kumar Ganguly
Mr. Joydip Basu

... For the State.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is a headmaster of Rishra Mohit Amiya Memorial Vidyapith. He claims to have been functioning from the entire premises in the school and allowed two rooms for the private respondents to occupy. Subsequently, the private respondents are stated to have locked the two rooms and also the main gate of the school.
3. It is submitted that the private respondents have indicated that the petitioner's school has been merged to another school and is running elsewhere.
4. A report has been filed by the Officer-in-Charge, Rishra PS dated 9th November, 2022 and the same is taken on record. It appears from the report that Rishra PS have enquired into the matter and taken out proceedings under sections 107 and 116 of the CrPC.

5. This Court is of the view that there are tenancy disputes between the petitioner and the private respondents. The parties may take out appropriate civil proceedings in this regard in accordance with law.

6. This Court finds no inaction on the part of the Rishra PS.

7. With the observations, the writ petition shall stand disposed of.

8. There shall be no order as to costs.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)