

09.06.2023.  
Court No.13  
Item No. 334  
ap

**W.P.A. No.23271 of 2022**  
**Sri Swarup Sarkar**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Debasis Kar,  
Mr. Arka Tilak Bhadra.

...For the petitioner.

Mr. Santanu Kumar Mitra,  
Mr. Subhabrata Das.

...For the State.

Mr. Subhajit Chowdhury,  
Mr. Sourav Mondal.

...For the respondent nos.4 & 5.

1. The petitioner claims to be a tenant in respect of a shop-room of the private respondents/landlords. He claims that the private respondents have locked the shop-room and have stolen articles therefrom.
2. Admittedly, there is a suit filed by the petitioner being Title Suit No. 6 of 2020 before the learned Civil Judge (Junior Division) 2<sup>nd</sup> Court at Barrackpore in respect of the tenancy.
3. The petitioner may seek remedy against the private respondents in such civil suit.
4. Titagarh Police Station shall ensure that there is absolutely no breach of peace in the area and comply with any order that may be passed on them specifically by the Civil Court.
5. In respect of any complaint filed by the petitioner which the police may not have taken cognizance, the petitioner may avail the remedies

under Section 156(3) of the Code of Criminal Procedure.

6. The report of the Titagarh Police Station dated 18<sup>th</sup> October, 2022 in the form of instructions addressed to the Government Pleader, High Court, Calcutta be kept with the record.

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.)***