

10.05.2023
Court No.13
Item No. 366
pk

WPA 23381 of 2022
Rajiv Jaiswal and another
Vs.
The State of West Bengal and Ors.

Mr. Rameshwar Sinha
... For the Petitioners

Mr. Santanu Kumar Mitra,
Mrs. Rupsa Chakraborty,
Mr. Milon Maity
... For the State.

Mr. Uday Narayan Betal,
Mr. Partha Sarathi Mondal
... For the respondent nos. 6 to 8.

1. Supplementary affidavit filed in Court is taken on record.

2. The writ petitioners complain of alleged inaction on the part of the Park Street Police Station. He submits that he has been illegally dispossessed by the co-residents. Both the private respondents and the petitioner claim to be tenants in respect of the property.

3. There is admittedly a civil suit being T. S. No. 2018 of 2022 pending before the 5th Bench, City Civil Court at Calcutta.

4. This Court is of the view that the dispute is purely civil in nature having no elements of criminality. The petitioner has filed civil suit in this regard.

5. In the event of any further eventuality or complaint to the Police of offence having been

committed, the petitioner may approach the Magistrate under Section 156(3) of the Cr. P. C.

6. The writ petition is, therefore, thoroughly misconceived and is dismissed with costs assessed at Rs.5,100/- payable by the petitioner to the Park Street Police Station.

7. The writ petition is disposed of.

8. There will 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.)