

05.12.2023
Srimanta
Sl. No. 26
Ct. No. 14

WPA/23360/2023

Sri Banu Paira
-Vs.-
State of West Bengal & Ors.

Mr. Gopal Mondal

...for the petitioner.

Mr. K. J. Yusuf,
Ms. Rupsha Chakraborty

...for the State.

Affidavit-of-service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Learned Counsel on behalf of the petitioner submits as follows. The writ petitioner had inherited the property in question from his grandfather. The private respondents are also co-sharers in the same. However, the private respondents are disturbing the peaceful possession and enjoyment of the property of the petitioner. The petitioner made a complaint before the Police authorities but no steps were taken.

Learned Counsel appearing on behalf of the State relies on the report and submits as follows. On the complaint of the petitioner, a proceeding was initiated under Section 107 of the Code of Criminal Procedure. Otherwise, the matter is civil in nature.

It appears that a civil dispute exists between the private parties.

However, on the complaint of the petitioner, the Police have initiated a proceeding under Section 107 of the Code.

Therefore, no further order need be passed in this regard.

However, the Police Authority shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Jay Sengupta, J.)