

14.06.2023.
Court No.13
Item No. 288
pk

W.P.A. No. 25778 of 2022

**Tonmoy Banerjee
Versus
State of West Bengal and others**

Mr. Abhijit Sarkar,
Mr. S. K. Mukherjee

...For the petitioner.

Mr. Malay Singh,
Mr. Bibekananda Tripathy

... For the State.

1. The petitioner has two fold prayer.
2. The petitioner was allotted Stall No. 7 by Taki Municipality. He has complained to the Hasnabad Police Station that the private respondent nos. 5 and 6 broke into his shop room and looted garments and goods therefrom.
3. Hasnabad Police Station has registered FIR 152 of 2018 dated 19.04.2018 against the private respondent nos. 5 and 6.
4. Hasnabad Police has submitted a report dated 08.12.2022 and the same is taken on record.
5. It appears from the report that the respondent no. 5 was allottee of Stall No. 8. The said respondent had applied before the Taki Municipality for allotment of Stall No. 7 to him and the same was done.
6. The said private respondents broke the wall between the two shop rooms.

7. The Police have enquired into the FIR and found allegations of the petitioner unsubstantiated. FIR No. 653 of 2018 dated 31.12.2018 has been filed by the Hasnabad Police Station.
8. Admittedly, there is also Title Suit No. 282 of 2018 filed by the petitioner before the learned Civil Judge (Junior Division), Second Court, Basirhat, North 24 Parganas which has been dismissed.
9. There is absolutely no inaction on the part of the Hasnabad Police Station.
10. Report of the Police is taken on record.
11. The writ petition is disposed of.
12. There will be no order as to costs.
13. 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.)