

27.06.2023
Court No.13
Item No.265
AP

WPA 26525 of 2022

**Jaynal Abedin Laskar
Vs.
The State of West Bengal & Ors.**

Mr. Lalratan Mondal

... For the Petitioner.

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi

... For the State.

Mr. Sarthak Burman

... For the Respondent Nos.4 to 11.

1. The petitioner complains of alleged inaction on the part of the Canning Police Station in respect of a complaint against the private respondents.

2. Counsel for the private respondents submits that the land in question belongs to them.

3. Admittedly, there are two suits in respect of the property in question being Title Suit No.181 of 2005, which is dismissed for default and Title Suit No.131 of 2010, which is pending before the learned Civil Judge (Senior Division), Baruipur. There is an order of status quo passed in Title Suit No.131 of 2010.

4. Learned counsel for the State has produced a report in the form of instructions issued by the Inspector-in-Charge, Canning Police Station addressed to the learned State Advocate and the same is taken on record.

5. It appears from the report that Canning Police have registered FIR No.616/22 dated 4th December, 2022 and have taken out proceedings on five occasions under sections 107 and 116 of the CrPC.

6. In the backdrop of the above, Canning Police shall ensure that there is no breach of peace in the area.

7. The petitioner and the private respondents may sort out their civil disputes in the pending civil suit or any other civil suit in accordance with law.

8. Canning Police shall strictly enforce any order that may be passed specifically on them by the Civil Court.

9. The investigation into the aforesaid FIR No.616/22 dated 4th December, 2022 shall be completed within a period of two months from date, if not already completed.

10. With the aforesaid directions, the writ petition is disposed of.

11. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)