

17-04-2023
ct no. 13
Sl.31
pk

WPA 26833 of 2022

Saikat Nandan
-Versus-

The State of West Bengal & Ors.

Mr. Kunal Ganguly,
Mr. Tirthankar Mukherjee,
Ms. Madhurima Sarkar,
Ms. Sucheta Pal,
Mr. Tirupati Mukherjee,
Ms. Sanchari Chakraborty.

....for the petitioner

Mr. Ansar Mondal,
Mrs. Sipra Majumder.

...for the State

1. The writ petitioner is aggrieved by the fact that the Shyampukur Police Station have not assisted in obtaining possession of a shop-room from which the petitioner and his father were running an optical centre.
2. The private respondent, his brother, is obstructing the petitioner from running the said shop room.
3. This Court is the view that the police have no role to play in handing over possession of any property to the petitioner. The petitioner may approach a Civil Court in this regard.
4. The Shyampukur Police Station, however, ensure that there is no breach of peace in the area

and shall strictly comply with any order that may be passed by the Civil Court on them.

5. With the aforesaid observations, the instant writ petition shall stand disposed of.

6. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)