

07 19.12.2023
NB Ct. 14

WPA 27171 of 2023

Sumita @ Sumitra Majhi & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Allen Felix.
...for the petitioners.

Mr. Amitesh Banerjee Id Sr. Adv.,
Ms. Ipsita Banerjee.
....for the State.

Learned counsel appearing on behalf of the petitioners admits that all of the private respondents could not be served with notice.

Learned counsel appearing on behalf of the petitioners further submits as follows. The petitioner no.3 is the owner of the land in question. The private respondents are the co-sharers in the property who had been harassing and intimidating the petitioners and disturbing the possession and enjoyment of such property. The petitioners were constrained to approach the criminal Court with complaints. The accused were arrested earlier. As would appear from an order dated 14.08.2023 that the said accused had been disturbing and threatening the petitioners and accordingly, the Court directed the police authorities to ensure that no breach of peace took place.

Learned senior counsel representing the State submits that there are cases and counter cases pending between the private parties. In one of the cases, a charge sheet has been

filed. The police are keeping a close watch on the developments in the locality.

It appears that the private respondents had instituted criminal cases against each other, which have to be taken to their logical conclusions.

The police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes.

Since affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)