

30.01.2023
Court No.13
Item No.10
pk

WPA 29071 of 2022

**Shri Sundar Naskar
Vs.
State of West Bengal & Ors.**

Mr. Sunny Nandy,
Mr. Tamal Singha Roy,
Mr. Subha Pathak

...for the petitioner.

Despite notice, State and the private respondent are not represented.

The Inspector-in-Charge, Kultali Police Station has filed a report dated 30.01.2023, which is taken on record. The report indicates that the petitioner has two residences and a wife out of a second marriage. His children from the second wife are well established. He is presently residing at Purbo Gabtala. The earlier residence that he claims he was thrown out of, at Village 36 Mondaler lat, is under the Kultali Police Station. The sons from the first marriage reside thereat.

There is clearly a family dispute between the children of the petitioner with the first wife and those with the second wife. This is a civil dispute.

The police had, on a complaint by the petitioner dated 06.03.2022, registered FIR No. 117 of 2022 which resulted in Charge Sheet No. 128 of 2022 dated 30.01.2022. There is, therefore, no inaction on the part of the Kultali Police Station.

Insofar as the petitioner's claim to his properties are concerned vis a vis of his children, appropriate civil proceedings may be taken up.

The writ petition is disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)