

OD-1

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/1630/2023

PADMAPARNA BANERJI
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE JAY SENGUPTA

Date : 18th OCTOBER, 2023.

Appearance :
Mr. Srikanta Dutta, Advocate
Ms. Rituparna Sarkar Dutta, Advocate
..... for petitioner.

Mr. Debjit Mukherjee, Advocate
Ms. Kalpita Paul, Advocate
..... for State of W.B.

Mr. Dipayan Dan, Advocate
Mr. Sombit Dan, Advocate
Mr. Deepanjan Chakraborty, Advocate
..... for respondent nos.6 and 7.

The Court : The report filed on behalf of the State is taken on record.

Learned Counsel appearing on behalf of the Petitioner submits as follows. The petitioner is a resident of a flat in the building in which the respondent nos. 5 to 9 also reside. The respondent no.10 is the promoter of the said building. The private respondents had been disturbing, threatening and even assaulting the petitioner for quite sometime now. The petitioner's mother is also being similarly treated. Often the private respondents would disconnect the water supply, electricity connection to the said flat. Threats have even been given that the petitioner would be raped and murdered if she did not leave in the said housing complex. She had made several complaints

before the police station, but no help was rendered. Only after she approached the Magistrate under Section 156(3) of the Code of Criminal Procedure that the FIRs could be registered.

Learned Counsel appearing on behalf of the respondent nos. 6 & 7 submits as follows. The allegation made in the writ petition are denied. Without taking permission of anyone, the petitioner has installed CCTV cameras not only in front of her own flat but also in the other floors. Complaints had to be lodged before the police by the other residents.

At this stage, learned Counsel appearing for the petitioner submits that the petitioner has not installed any CCTV camera on the other floors.

Learned Counsel appearing on behalf of the State relies on and submits as follows. Three FIRs have been registered on the complaints of the petitioner, albeit after directions were passed under Section 156(3) of the Code of Criminal Procedure. Investigation is going on. Police are keeping close watch on the developments of the locality.

It appears that there exist certain disputes between the residents of the housing complex.

It is also quite significant that FIRs were lodged at the behest of the petitioner only after she approached the Magistrate under Section 156(3) of the Code of Criminal Procedure.

For any other relief that any of the parties may seek in respect of such property, the same has to be before a competent civil Court.

However, so far as question of safety and security of the residents are concerned, the residents police authorities shall keep a sharp vigil at the

locale, ensure that no breach of peace takes place and that no order of any Court is violated.

If any untoward incident occurs or is apprehended by the petitioner, the petitioner shall be at liberty to call up the Officer-in-Charge of Parnasree Police Station who shall then act in accordance with law.

With these observations, the writ petition being WPO/1630/2023 is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(JAY SENGUPTA, J.)

A.Dey