

April 16, 2024
AD 16
Ct. No.14
SG

WPA 10249 of 2024

Vijay Gupta
vs.
The State of West Bengal and others

Mr. Debajyoti Deb
Ms. Somdyuti Parekh
... for the petitioner.

Mr. Amal Kumar Sen
Ms. Ashima Das (Sil)
... for the State.

Mr. Saptangsu Basu
Mr. Ayan Banerjee
Mr. Abhijit Sarkar
Ms. Mrinalini Majumder
Mr. Souvik Saha
... for the respdt Nos.4 & 5.

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. He is an industrialist dealing with real estate, iron and steel manufacturing. The miscreants belonging to the private respondents had visited the petitioner's premises and threatened them with dire consequences. The private respondents wanted to extort money from the petitioner. This was brought to the notice of the police, but no effective step was taken.

Learned senior counsel representing the private respondents denies the allegations and submits as follows. The petitioner had taken about Rs.4 crores from the private respondents for transferring a property. He

was able to transfer only a portion of the property, but not the rest as the same actually belonged to his relatives. The petitioner has permitted the private respondents to develop the property in the meantime. Now the petitioner is trying to device a new ploy to deprive the private respondents of their accrued rights.

Learned senior counsel representing the State relies on the report and submits as follows. There is a civil dispute pending between the private parties and an agreement had been entered into. The police had registered an FIR against the petitioner and taken necessary steps. A final report was submitted. Even a proceeding under Section 107 was initiated. The police are keeping a close watch on the developments in the locality.

Learned counsel appearing for the petitioner disputes the allegations levelled by the private respondents and the State.

It appears that a civil dispute exists between the private parties. If any of the parties wants to establish any further right in respect of the subject matter or the property, the same has to be done before a civil court.

However, if any offence is committed by any of the parties, the police shall take appropriate steps.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. Surveillance shall include frequent visits by police patrol.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

Parties shall act on server copy downloaded from the official website of this Court.

[Jay Sengupta, J.]