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08.02.2024
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Ct 14

WPA 12151 of 2023

Rumki Pramanik

-vs-

The State of West Bengal & ors.

Mr. K. Basu

Mr. S. Chakraborty

Mr. A. Chakraborty

...for the petitioner

Mr. Suman Sengupta

Mr. Sanatan Panja

...for the State

Ms. Sreemoyee Mukherje

Mr. Kuntal Banerjee

...for the respondent no.4

Reply filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that a flat jointly purchased by the petitioner and her husband was locked by the said husband/ private respondent. The petitioner was thrown out of the said apartment.

Learned counsel appearing on behalf of the private respondent denies the allegations and submits that no lock has been put on the door by the private respondent. The loan that was taken for the flat was being repaid solely by the private respondent. However, due to non-payment of some amount, the bank had taken some steps. Before the attachment by the bank, the property was, in fact, given on rent by the petitioner to a third party.

Learned counsel appearing on behalf of the State

submits that this is a purely civil dispute pending between the private parties. Inquiry reveals that for the last seven years, the flat is lying in a locked condition and the State Bank of India had taken possession of the said flat by affixing a notice.

It appears that a civil dispute exist between the private parties.

Either of the parties shall be at liberty to take appropriate steps in this regard.

However, this is not a case of police inaction.

Therefore, no further order need be passed in this regard.

With these observations, the writ petition is dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)