

Item No.10

10.06.2024
Ct-14

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14559 of 2024
Bapi Sur

v.

The State of West Bengal & Ors.

Mr. Sourav Mondal
Mr. Abhirup Haldar
Mr. Rony Mondal
... for the petitioner.

Mr. Amitesh Banerjee, Ld. Sr. St. Counsel
Mr. Akash Dutta
... for the State.

The petitioner alleges that his brother being the respondent no. 6, is a promoter and he has forcefully driven out the petitioner from the residential house at 7B, Paul Street, Shyam Bazar, P.S.-Tala under Ward No. 12 of the Kolkata Municipal Corporation.

It has been submitted that the petitioner has all his essential belongings inside the room which has been locked by the respondent no. 6.

The petitioner prays for a direction upon the police to assist him to take out his belongings from the room that has been locked by the respondent no. 6.

None represents the respondent no. 6.

Affidavit-of-service filed in Court today is taken on record. It appears therefrom that the copy of the writ petition could not be served upon the private respondent

as the article which was put to post returned with the postal endorsement 'insufficient address'.

Learned advocate representing the State respondents opposes the prayer of the petitioner. It has been submitted that the police ought not to be directed to take steps in respect of a private civil dispute in between the parties.

The Court is of the opinion that the dispute in between the parties appear to be private and civil in nature. The police will not be the competent authority to enter into such disputes.

It will be open for the petitioner to approach the competent forum for relief.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)