

26.09.2024
Item No.144
Ct. No.35
dc.

W.P.A. 20129 of 2024

**Mr. Gopal Sharma
versus
The State of West Bengal & Ors.**

Mrs. Sumita Sarkar ... For the Petitioner.

Mr. Jayanta Samanta,
Mr. Kazi Sajjad Alam ... For the State.

Ms. Karabi Roy ... For the Respondent Nos. 4 & 5.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that although he is an owner of a property but behind his back, the private respondents are attempting to sell out the property as they have their influence in the locality. The said fact is disputed by the learned advocate appearing for the respondent nos. 4 and 5.

The report submitted by the State reflects that a case has been registered being Nabadwip Police Station Case No. 553 of 2024 dated 20.08.2024 against Subodh Debnath, Manik Debnath and Samiran Biswas who are the respondent nos. 4, 5 and 6 respectively in the writ petition.

I find that the police authorities have taken steps pursuant to the complaint being lodged by the present petitioner. So far as the issue relating

to right, title and interest in respect of the property is concerned, it would be the civil court which would decide the issue.

The Inspector-in-Charge, Nabadwip Police Station would keep a strict vigil and ensure that in respect of the subject-matter of the property in dispute, no breach of the peace and tanquility takes place.

It is reiterated that the police authorities will not enter into the domain of the ownership and/or right, title and interest of either of the parties and it would be the civil court which would decide in respect of any issues concerned.

With the aforesaid observations, the writ petition being WPA 20129 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)