

03.10.2024
Item No.113
PG
Ct. No.7

W.P.A. 21886 of 2024

Abdul Kaiyum Mullick
vs.
The State of West Bengal & Ors.

Mr. Sumanta Chakraborty
Mr. Samirul Sardar..... for the petitioner

Ms. Sabnam De Bardhan
Ms. Kakali Naskar.....for the State

1. The petitioner alleges that the police authorities have not taken any step excepting registration of FIR pursuant to the complaint lodged by the petitioner.
2. The petitioner alleges that the private respondents herein have put up a barricade in front of the main entrance of the house of the petitioner.
3. It is not in dispute that the petitioner and the private respondents are brothers. In the event the petitioner faces any difficulty with regard to possession of the joint property, it will be open to the petitioner to approach the Civil Court of competent jurisdiction in so far as the dispute with regard to possession of such property is concerned.
4. However, it appears that the police authorities have registered an FIR pursuant to the complaint lodged by the petitioner being Chanditala P.S. Case No. 575 of 2024 dated July 21, 2024.

5. The learned advocate appearing for the State files a report dated September 3, 2024, which is taken on record. It appears from the said report that the investigation is in progress.
6. The concerned investigating officer is directed to conclude the investigation expeditiously and take all consequential steps thereupon.
7. In case the petitioner feels aggrieved, it would be open to the petitioner to take appropriate steps before the concerned jurisdictional Court in accordance with law.
8. However, the Inspector-in-Charge of Chanditala Police Station is directed to ensure that no breach of peace takes place at the locale.
9. With the aforesaid observations/directions, the writ petition is disposed of.
10. There shall be, however, no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)