

26.09.2024
Sl. No. 77
g.b.
Court No.07

W.P.A. 22090 of 2024

Bikram Halder
-Vs-
The State of W. B. & Ors.

Mr. Bikramjit Mandal
.....For the Petitioner
Mr. Wasim Ahmed
Sk. Md. Masud
.....For the State
Mr. Laxman Halder
Mr. Bhaskar Sengupta
.....For the Respondent Nos. 4 and 5

The petitioner states that the petitioner agreed to purchase a plot at Nilratan Sarkar Housing Co-operative and an agreement for sale to that effect was entered into with the private respondents on January 5, 2023. The petitioner states that pursuant to the said agreement, the consideration money was fixed at Rs. 20 lakhs and out of the said consideration money, the petitioner paid a sum of Rs. 19 lakhs by way of earnest money. The petitioner states that the private respondents refused to execute the deed of conveyance in favour of the petitioner. The petitioner states that the private respondents issued some cheques in favour of the petitioner, which were ultimately dishonoured.

Learned advocate appearing for the petitioner submits that as on date a sum of Rs. 8.50 lakhs is due from the private respondents.

The learned advocate for the private respondents disputes the aforesaid submission made by the petitioner.

After hearing the respective parties it appears to this court that the dispute between the parties is purely civil in nature and the petitioner is left free to approach the proper forum for appropriate reliefs.

However, the petitioner has prayed for issuance of a Mandamus to render protection to the petitioner and his family members.

Mr. Ahmed, learned advocate appearing for the State files the report of the Officer-in-charge, Mathurapur Police Station dated 26th September, 2024 wherefrom it appears that the police authorities has submitted a prosecution against the private respondents being Mathurapur PS NCR No. 512/24 under Section 351(3) BNS.

The Officer-in-charge, Mathurapur Police Station being the 3rd respondent is directed to ensure that no breach of peace and tranquility takes place at the locale.

With the above observation and direction, the writ petition stands disposed.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)