

50
27.09.2024
KC

WPA 22156 of 2024

Jagadish Bar
Vs.
The State of West Bengal & Ors.

Mr. Goutam Banerjee
Mr. Sandip Kumar Mondal
... for the petitioner.

Mr. Bharat Chandra Simai
... for the respondent no. 4.

Mr. Dipanjan Dutta
Mr. Soumen Chatterjee
... for the State.

Affidavit of service filed in Court is taken on
record.

The petitioner claims to be the owner of Dag Nos.
1102, 1106, 1107 and 1108, Khatian No. 60, J. L. No. 150 under
Mouza - Menokapur, Police Station - Dantan in the district of
Paschim Medinipur.

The petitioner alleges that the private respondent
is creating disturbances in the matter of construction over
the said property. Petitioner claims to have lodged a
complaint with the Superintendent of Police, Paschim
Medinipur by a letter dated August 21, 2024.

The learned advocate for the petitioner submits
that in spite of receipt of the said complaint, the police

authorities have not taken any steps with regard thereto.

Learned advocate for the private respondent submits that there is a serious dispute with regard to the title of the petitioner in respect of the aforesaid plots of land. He further submits that the petitioner herein filed a suit being T.S. No. 234 of 2013 before the learned Civil Judge (Junior Division) at Dantan. Such suit was initially dismissed for default and the same was subsequently restored.

Mr. Dutta, learned advocate for the State submits that the police authorities have initiated a proceeding under Section 126/135(3) BNSS. The report of the Inspector-in-Charge, Dantan Police Station dated September 20, 2024 is taken on record.

Since the civil suit is pending between the private parties, this Court is not inclined to grant any relief in favour of the petitioner in this writ petition. Parties are left free to approach the Civil Court for appropriate reliefs in accordance with law.

With the above observations, the writ petition stands disposed of.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)

