

85
03.10.2024
mb

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23462 of 2024

Amrita Singh
Vs.
The State of West Bengal & Ors.

Mr. Samarjit Balial,
Mr. Syed Mosihar Rahman
...for the petitioner

Mr. Swapan Banerjee,
Mr. Sopumen Chatterjee
...for the State

Mr. Ritwik Pattanayak
...for the respondent nos. 5 to 7

The learned Advocate appearing for the petitioner submits that the private respondents herein are creating disturbances while the petitioner attempted to raise construction of a G+1 storied building.

The learned Advocate appearing for the respondent nos. 5, 6 and 7 submits that the petitioner is trying to encroach upon the property of the private respondents while raising construction of the G+1 storied building.

Mr. Banerjee, learned Advocate appearing for the State files a report of the Sub-Inspector of Police, Shyampur Police Station, dated September 24, 2024, which is taken on record.

After hearing the learned advocates for the parties, this Court finds that there is dispute with

regard to title and possession in respect of an immovable property between the petitioner and the private respondents.

In view thereof, the petitioner is left free to approach the appropriate forum in accordance with law.

From the report of the Sub-Inspector of Police, Shyampur Police Station, it appears that pursuant to the complaint lodged by the petitioner, an enquiry was made and a prosecution under Section 351(2) of B.N.S. has been submitted against the private respondents, vide Shyampur Police Station N.C.R. No. 824 of 2024 dated September 09, 2024. It appears that the police authorities have taken steps on the basis of the complaint lodged by the petitioner.

The Officer-in-Charge, Shyampur Police Station, is directed to ensure that no breach of peace takes place at the locale.

With the above observations and directions, this writ petition stands disposed of.

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

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)