

05.11.2024
Item No.62
Ct. No.35
dc.

W.P.A. 24107 of 2024

**Uttam Bera
versus
The State of West Bengal & Ors.**

Mr. Keshab Chandra Das,
Ms. Aparajita Mondal ... For the Petitioner.

Mr. Jayanta Samanta,
Mr. Tapas Ballav Mandal ... For the State.

Mr. Suman Chakraborty ... For the private Respondents.

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. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in spite of his representation made before Pursurah Police Station on 11.09.2024, no action has been taken by the police authorities. The subject-matter of complaint is that the father of the private respondents took money and thereby registered a plot of land which was found to be subsequently transferred in the name of another person. The father of the private respondents thereafter committed that he would transfer a different property in favour of the present petitioner. However, in course of time the father of the private respondents expired without fulfilling the

commitment for transferring the property in respect of which he allegedly accepted money.

Learned advocates for the State and the private respondents are present.

I have considered the submissions of the learned advocate for the petitioner and I am of the view that although there may be infractions so far as morals and ethics are concerned, but no criminal offence can be fixed on the heirs as the petitioner did not deal with the heirs at the relevant point of time. The police would keep a strict vigil so that no breach of the peace takes place.

The petitioner would be at liberty to approach the jurisdictional civil court for enforcing his right by exhausting the relevant provisions of law.

With the aforesaid observations, the writ petition being WPA 24107 of 2024 is 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.)