

D/L 83
05.11.2024
Kausik
ct.no.35

W.P.A. 24260 of 2024

**Ganesh Chandra Biswas and Anr.
Versus
State of West Bengal and Ors.**

Mr. Kusal Kumar Mukherjee
Mr. Narattam Acharyya
...for the petitioners.

Mr. Joydip Banerjee
Mr. Prabir Kr. Roy
...for the state.

Petitioner is aggrieved by the fact that they are being harassed in spite of the fact that they are senior citizens and in order to irritate them, water supply has been disrupted. They have been abused and assaulted.

Affidavit of service so filed be kept with the record.

Learned advocate for the state has submitted a report. Report reflects that several cases have been registered pursuant to complaints being filed at the behest of the petitioners. Report reflects that all the cases were initiated by Lake Police Station. Lastly it has been contended that pursuant to the order passed by the learned Judicial Magistrate, 9th Court, Alipore on 08.02.2023. Water supply has been resumed.

Report so submitted be kept with the record.

Prima facie it reflects that the dispute and differences are between the co-flat owners. Petitioner will approach the appropriate civil court for remedies so far as the issues relating to enjoyment of the property is concerned. In case they are harassed being senior citizens, they will be at liberty to approach the jurisdictional criminal court by way of adhering to provisions of section 175 or section 223 of BNSS, 2023.

With the aforesaid observations WPA 24260 of 2024 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)