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NB Ct. 14

WPA 25266 of 2023

Mallika Sanyal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar.
...for the petitioners.

Mr. Amitesh Banerjee Id.SSC,
Mr. Suddhadev Adak.
...for the State.

Mr. Niladri Sekhar Ghosh,
Ms. Sampurna Chatterjee,
Mr. Sourav Mondal,
Ms. Labani Sikdar,
Mr. Rony Mondal.
...for the respondent nos.6&7.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the mother of the petitioner nos.2 and 3. They are residing in their own house, which was left to them by the deceased husband of the petitioner no.1. For quite some time now, the private respondents had been trying to grab the property in question. They had been creating different kinds of disturbances. On one occasion, they even put fire in the house of the petitioners. The petitioner no.1 was assaulted once. But, in none of these incidents did the police take any proper action. Only an FIR was registered. Now the police are threatening and intimidating the petitioner taking sides in favour of the private respondents.

Learned counsel appearing on behalf of the private respondents denies the allegations and submits as follows. The petitioner no.1 is a trouble maker. This would be evident from a number of mass petitions given against her by the residents of the locality. In the FIR where the petitioner alleged that the private respondents had put fire on his house, it was found that it was she who had burnt some clothes and kept them in a room. The private respondents have no interest in the petitioners' property and the petitioners are at liberty to stay there, preferably without disturbing the others in the neighbourhood.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the earlier complaint of the petitioners, an FIR was registered. There were other cases registered on her complaint. The same are being investigated. A proceeding under Section 107 of the Code has also been initiated against the petitioners on the complaint of the others. The police are keeping a close watch on the developments in the locality.

It appears that there is some dispute between the petitioners and her neighbours including the private respondents.

It also appears that the police have acted on the complaints of either side by either registering FIRs or initiating proceedings under Section 107 of the Code.

Therefore, no further order need be passed in this regard.

However, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)