

7 04.12.2024

No. 35

G.S.Das

Subhankar Dubey
-Vs-
The State of West Bengal & Ors.

Mr. Sujoy Chakraborty
Ms. Shashwati Bhattacharjee
... for the petitioner(s)
Mr. Dipanjan Datta, Id. Sr. Govt. Adv.
Ms. Sukanya Datta
... for the State-respondent(s)

Affidavit-of-service so filed be kept
with the record.

The grievance of the petitioner is that he has been victimized by the rival hotel owners, who have been inciting the local public at large, thereby stalling the construction of his hotel.

To that effect, the petitioner lodged a complaint with the police authorities. However, the police authorities did not take appropriate steps and the petitioner is being harassed and humiliated

while raising such construction of the hotel.

Mr. Datta, learned Senior Government Advocate, submits a report, which reflects that the police authorities have already registered a case being Murshidabad P.S. Case No. 327 of 2024 dated 11.05.2024 and, charge-sheet has already been submitted on or about 31st of May, 2024.

Learned advocate submits that, lastly on 30.08.2024, the petitioner has made a complaint with the Sub-Divisional officer.

Be that as it may, the prime concern of the petitioner is that the private respondents are obstructing his construction of the hotel.

So far as the petitioner's information was concerned, a proceeding

under Section 107/116(C) of the Cr.P.C. was drawn up by the police authorities on or about 18.03.2024 being Murshidabad P.S. N.C.R. No. 563 of 2024.

Accordingly, it is directed that since six months have expired from the date of initiation of the said case, the Learned Executive Magistrate will extend the period for another six months, as the disputes and differences are still subsisting.

If the writ petitioner, in the pending proceeding under Section 107/116(C) of the Cr.P.C. complains to the learned Executive Magistrate that further disturbances are being created in a well designed manner by the private respondents and their associates, the learned Magistrate will alter the condition of the bond and direct the private respondents and their associates to stay outside the district of Murshidabad.

With the aforesaid observations,
WPA 27968 of 2024 is disposed of.

Report so submitted be kept with
the record. Let a copy of the report be
handed over to the learned advocate for
the petitioner.

Parties to act on a server copy of
this order duly collected from the official
website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)