

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 26879 of 2023

**Amela Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Ranjan Saha.
... For the petitioner.**

**Mr. Kaushik Chatterjee.
Mr. Biswarup Dasgupta.
Ms. S. Chakraborty.
...For the proposed respondent.**

The petitioner claims to be in possession of certain plot of lands. She says that the names of her predecessor-in-interest are recorded in the record of rights.

The petitioner has alleged that the respondent no. 9 is a local promoter and he is forcibly and illegally trying to grab the property for developing the business of promoting. The petitioner approached the police authorities on repeated occasions but the police had refused to register the complaint sought to be filed by the petitioner.

A specific compliant has been annexed to the writ petition, which has been alleged to be served upon the addressees, but there is no proof of service of the said complaint before the respondent authorities.

None represents the private respondent despite service.

Affidavit-of-service filed in Court today is taken on record.

None represents the State respondents.

Mr. Kaushik Chatterjee, learned advocate seeks to enter appearance on behalf of one Dharitri Infraventure Pvt. Ltd. It has been submitted that the respondent no. 9 was an employee of the Company who left the job long back. Upon receipt of a copy of the writ petition, which has been addressed to the respondent no. 9, the Company got to know the facts of the case and intends to be added as party respondent in the instant proceeding.

As it appears from the documents annexed to the writ petition that the petitioner is yet to formally lodge a complaint before the police highlighting the illegalities committed by the private respondent, accordingly, the instant writ petition is disposed of by granting leave to the petitioner to lodge complaint and approach the competent forum for relief.

It will be open for the petitioner to approach the competent civil Court for declaration of her ownership/possessory right in accordance with law, if so advised.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)