

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

W.P.A 27460 of 2023

**Sk. Aktarul
-versus
The State of West Bengal & Ors.**

**Mr. S. Sardar.
... For the petitioner.**

**Ms. Jhuma Chakraborty.
Ms. Arpita Mondal.
...For the State.**

The petitioner alleges inaction on the part of the police in taking steps in response to the complaint lodge by him.

Specific grievance of the petitioner is that the private respondent is blocking the passage of the petitioner and is threatening the petitioner with slang and filthy languages. Complaint was lodged before the police in October 2023 but no step has been taken.

None represents the private respondents.

A report has been filed by the Officer-in-charge, Jangipara Police Station signed on 19th December, 2023. It appears therefrom that there is a civil dispute between the parties.

The police has enquired the complaint lodged by the petitioner and has submitted the NCR No. 1653 of 2023 dated 7th December, 2023 under Sections 107/116© of the Cr.P.C. against the private respondents.

It appears from the submission made on behalf of the parties that there is a dispute with regard to a passage. The petitioner alleges that the private

respondent has forcefully blocked the passage. In such a situation it will not be proper for the Court to direct the police to take any step in the matter regarding removal of the alleged obstruction as the Court is not aware with regard to the ownership or any other possessory right of the parties qua the passage.

The police will not be the competent authority to decide the right of the parties.

It will be open for the petitioner to approach the competent civil forum for relief, 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.)