

Sl. No.17
16.12.2024
Suman
Ct. 35

WPA 29172 of 2024

Soriful Islam
Vs.
The State of West Bengal & Ors.

Mr. Somnath Adhikary
Mr. Biswajit Sarkar
..for the petitioner

Mr. Amitesh Banerjee, Sr. Standing Counsel
Mr. Akash Dutta
..for the State

Let the affidavit of service be kept with the records.

The allegation against the private respondents is that the petitioner purchased the property after paying money and thereafter allowed the private respondents to stay on their request for sometime.

According to the petitioner, the private respondents thereafter refused to leave the residence.

Representation was made to the concerned police station for evicting the private respondents.

Mr. Banerjee, learned senior Standing Counsel on behalf of the State submits that the police authorities are not empowered to throw away the persons who are occupying the premises without an appropriate order from the court of law.

In view of the nature of dispute being exclusively within the domain of the civil court, I am of the opinion that the petitioner should approach the jurisdictional civil court for reliefs being claimed.

With the aforesaid observations, WPA 29172 of 2024 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Tirthankar Ghosh, J.)