

18.07.2024
Item No.37
Ct. No.35
dc.

W.P.A. 9951 of 2020

**Jishu Mandal
versus
The State of West Bengal & Ors.**

Mr. Golam Mostafa,
Mr. T. S. Samanta
... For the Petitioner.

Mr. Ashim Kumr Ganguly,
Mr. Subrata Dasgupta
... For the State.

Mr. Shankar Prasad Ray,
Ms. Dipanwita Das
... For the Respondent Nos. 4 to 6.

Report dated 04.12.2020 submitted by
Officer-in-Charge, Survey Park Police Station
through the learned advocate for the State be kept
with the record.

The subject-matter of the writ petition also
relates to incident of the year 2020. The said report
reflects that Survey Park Police Station has already
drawn proceedings under Section 107 of the Code
of Criminal Procedure both against the petitioner
and the respondent nos. 4, 5 and 6. There is a Non
FIR No. 14/2020 dated 20.10.2020 and also a GDE
No. 1318 dated 20.10.2020.

Having considered the date which has been
referred to in the representation being 02.10.2020
and subsequent to the same, the police authorities
have taken action, I direct that if there has been
change of circumstances, both the parties

henceforth will approach the appropriate court of law.

So far as the issue which has been canvassed in the writ petition, the same has been taken care of by the police at the appropriate stage. However, since the dispute is between one of the occupiers of the flat and other flat owners, on issues which the police authorities have nothing to interfere, I am of the view that further disputes, if they arise, would be dealt with, if the petitioner approaches the appropriate forum.

The concerned appropriate forum, if it is a jurisdictional court, will decide the same in accordance with law without being influenced by any observations passed by this Court.

With the aforesaid observations, WPA 9951 of 2020 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)