

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

05 03.4.2024
Sc Ct. no.2

WPA 2262 OF 2023

Shibnarayan Lohar

Vs.

State of West Bengal & Ors.

Mr. Jagriti Mishra
Mr. Suman Saha
Mr. Raj Kumar Mitra
Ms. Mrinmayee Das.

....For the Petitioner

Mr. Subir Kr. Saha
Ms. Bedashruti Bose.

....For the Respondent
Nos. 1 to 3

Mr. Jagriti Mishra, learned counsel appearing for the petitioner submits that, the dwelling house of the petitioner was set to fire by some unruly mob on **June 6, 2023**. The nephew who was residing with the petitioner was subjected to some alleged criminal charges for which the jurisdictional police station has already initiated the necessary criminal case against the nephew. The local mob being agitated with such incident, occurred at the instance of the nephew, the dwelling house of the petitioner was set to fire and since then the petitioner is out of his residence.

The petitioner states that, they have made several complaints and representations before the local police authority so that necessary protection can be granted to the petitioner and the petitioner can be brought back to his own residence.

Ms. Bedashruti Bose, learned State counsel appearing for the respondent nos. 1 to 3 submits today a bunch of correspondence in the form of a report, the same is taken on record. She contends that, the jurisdictional police authority has already taken necessary steps on the basis of the complaints and representations made by the petitioner and the matter has been referred before the ***Block Development Officer, Matigara*** and the ***Prodhan of Champasari Anchal***.

Ms. Bose also submits that, necessary meeting has already held once by the State authority and the issue is under consideration. She further submits that, she has received instruction from her client that, the dwelling house of the petitioner has suffered severe damages out of the fire and is not in a habitable condition.

Be that as it may, in the light of the above submissions made on behalf of the State respondents, the appropriate State authorities are directed to take steps in accordance with law.

If necessary application is made by the petitioner before the jurisdictional police authority seeking protection for renovation or repairing of the dwelling house upon compliance of all the necessary formalities as required under the law, the respondent no.3 shall render necessary assistance to the petitioner.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to be admitted by the respondents.

With the above observation and direction the writ petition, **WPA 2262 of 2023** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)