

24.03.2025

Item No.34

Ct. No.35

dc.

W.P.A. 5486 of 2025

**Pranab Kumar Sarkar
versus
The State of West Bengal & Ors.**

Mr. Sujan Chatterjee,
Mr. Rohan Bavishi,
Ms. Shreyansi Sarkar ... For the Petitioner.

Mr. Amal Kumar Sen, AGP,
Ms. Ashima Das (Sil) ... For the State.

Mr. Soumya Basu Roy Chowdhuri
... For the Respondent Nos. 5 to 10.

Report submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocates appearing for the petitioner and the respondent nos. 5 to 10.

The petitioner is aggrieved by the fact that he is being extorted by the private respondents under the garb of maintenance charges and to that extent, he has already paid a huge sum and circumstances are being created which is not conducive for the petitioner to lead a peaceful life.

Learned advocate appearing for the private respondents who are the flat owners submits that the amount which was paid was for repairing of the roof and only a part amount has been paid, the full amount has not been paid. Further the petitioner do not contribute to the maintenance charges which is only the subject-matter of dispute.

State has submitted a report which also reflects similar set of circumstances for non-payment of maintenance charges and the dispute arising therefrom.

In view of the nature of the dispute complained of, the police authorities have hardly any scope to interfere in respect of the differences. The petitioner would be at liberty to approach the civil court for remedies available under the law. However, the police authorities would ensure that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 5486 of 2025 is disposed of.

There will 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.)