

13.02.2025
Court No. 35

Item No.10
Rakib

W.P.A. 9487 of 2024

Badal Das.
VS
The State of West Bengal & Ors.

Mr. Debasis Kar,
Mr. Husen Mustafi.
... for the Petitioner.
Mr. Kallol Mondal, Sr. Adv.,
Mr. Krishan Roy,
Mr. Souvik Das,
Mr. Anamitra Banerjee,
Mr. Akbar Laskar.
... for Respondent no.4.
Mr. Ansar Mondal, Ld. AGP.,
Ms. Somashree Dey..
... for the State.

Petitioner has approached this Court claiming that he has been thrown out from his residence by the respondent no.4, who happens to be a relation. Petitioner further submits that he has no shelter although he is the owner of the residence and in spite of approaching different authorities petitioner till date could not enter his residence.

State has submitted a report. Report reflects that petitioner submitted 12 complaints out of which in 11 cases charge-sheet has been submitted and in another case final report has been submitted as mistake of fact. It is also reflected that a Civil case being T.S. 319/15 is pending before the learned Civil Judge (Jr. Div.) Bidhannagar.

Learned advocate for the respondent no.4 submits that the dispute is a civil in nature. The petitioner has accepted money and thereafter is trying to deceive the respondent.

Be that as it may the Civil Court is already is seisin of the issue, accordingly it would be for the petitioner to approach the appropriate Civil Court in respect of remedies sought for. If there are any other statutory remedies petitioner would be at liberty to exhaust the same.

With the aforesaid observations WPA 9487 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

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.)