

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Debangsu Basak

And

The Hon'ble Justice Md. Shabbar Rashidi

***MAT/1331/2025
DR ANURADHA DAS
VS
THE STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025, CAN/2/2025***

For the Appellant : Mr. Debottam Das, Advocate
/writ petitioner

For the Respondent : Mr. Aniruddha Bhattacharyya, Advocate
Nos. 8 & 9

For the Respondent : Mr. S. Banerjee, Advocate
Nos. 6 & 7 Mr. Debojyoti Koner, Advocate

Heard & Judgment on: August 29, 2025

Md. Shabbar Rashidi, J.

1. Supplementary affidavit filed in Court be taken on record.
2. CAN 2 of 2025 is an application for condonation of delay. For the ends of justice causes shown in the application for condonation of delay are accepted as sufficient. Delay in making and filing the application is condoned. CAN 2 of 2025 is allowed.

3. Appeal is directed against a judgment and order passed on March 26, 2025 in WPA 5696 of 2025.
4. By the impugned order, the learned Single Judge dismissed the writ petition filed on behalf of the appellant.
5. The writ petitioner as well as the private respondents are the owners in respect of a flat in a building. It has been alleged on the part of the writ petitioner that the private respondents have been creating nuisance in the building causing inconvenience to the writ petitioner. The writ petitioner approached the police authorities several times and lodged several complaints in this regard. It was also alleged on behalf of the writ petitioner that the writ petitioner was assaulted by the private respondents several times. The private respondents also removed the CCTV cameras installed in the premises. The incident was reported to the local police authorities but no effective steps were taken by the police authorities in this regard.
6. Learned Single Judge noted in the impugned order that the police responded to the complaints as and when raised by the writ petitioner. It was also observed by the learned Single Judge that *prima facie* the problem reflected to have been crept up in respect of different set of families and individual staying in a single building in different flat. Police authorities generally did not interfere in such

situations. However, considering the age of the writ petitioner, the learned Single Judge directed that since the Kolkata police was having the Cell i.e. PRANAM for addressing inconveniences of the senior citizens and the said cell will attend to the grievances raised by the writ petitioner with the assistance of a lady constable who would be assigned by the Officer-in-Charge of Beliaghata Police Station, in case petitioner is faced with certain circumstances and is unable to handle the same because of her old age. Learned Single Judge also held that so far as the other issues involved in the proceedings were concerned, the writ petitioner was at liberty to approach the jurisdictional Court, either civil and/or criminal, in accordance with law. With such observations, the writ petition was disposed of.

7. At the time of hearing of the present appeal, since there was an allegation that the private respondents were alleged to have broken and removed the CCTV installed in the premises, we proposed installation of CCTV both by the writ petitioner and the private respondents, at appropriate place agreed by the parties, if they consent thereto.
8. Learned advocate appearing for the private respondents agreed to such proposal subject to the private respondents are also allowed to install their CCTV cameras. However, in course of hearing, learned

advocate for the writ petitioner on instructions of the writ petitioner, who is present in the Court, contended that, the staircase and the rooftop belonged to the appellant exclusively in terms of the conveyance. According to the deed of conveyance, she acquired the interest in the demised building.

9. In such circumstances, we are of the opinion that there are underlying civil disputes in between the writ petitioner and the private respondents which should not be entertained in a writ proceeding. Such disputes can be decided by an appropriate civil Court, if the parties choose to approach such Court. In such view of the facts the findings of learned Single Judge cannot be faulted.

10. In such circumstances, we find no merit in the present appeal.

11. Accordingly, MAT/1331/2025 along with the connected applications are **dismissed** without any order as to costs.

(Md. Shabbar Rashidi, J.)

12. I agree.

(Debangsu Basak, J.)