

1. Dist. Darjeeling P.S. Siliguri Year 2021 FIR No. 367/21 Date 11.05.2021

2. i) Act IPC Sections 447/323/506 ii) Act _____ Sections _____
(iii) Act _____ Sections _____ (iv) Others Acts & Sections _____

3. (a) Occurrence of Offence Day _____ Date From On 07.05.21 Date To 18.00
Time Period _____ Time From 18.00 hrs. Time To _____

(b) Information received at P.S. Date On 11.05.2021 Time 00.10 hrs.
(c) General Diary Reference: Entry No(s) 494 Time 00.10 hrs.

4. Type of Information _____ Written / Oral

5. Place of Occurrence (a) Direction and Distance from P.S. _____ Beat No. _____
(b) Address Punjabipara chowk, Shiv Mandir Road, W/NO-13 SMC
PS-Siliguri, Dist-Darjeeling.

(c) In case outside limit of this Police Station, then the
Name of the P.S. _____ District _____

6. Complainant / Informant

(a) Name Sri Sanjay Kumar Attari

(b) Father's / Husband's Name Sri Shivcharan Attari

(c) Date / Year of Birth _____ (d) Nationality _____

(e) Passport No. _____ Date of Issue _____ Place of Issue _____

(f) Occupation _____

(g) Address Shiv Mandir Road, Punjabipara chowk, PS-Siliguri, Dist-Darjeeling

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary):
(i) Sri Luvkush Sha s/o Bichasimal Sha of Puja Fruit & vegetable shop, Punjabipara chowk, Shiv Mandir Road, W/NO-13, SMC, PS-Siliguri Dist-Darjeeling.

8. Reasons for delay in reporting by the Complainant / Information _____

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary): _____

10. Total value of properties stolen / involved _____

11. Inquest Report / U.D. Case No. if any _____

12. FIR Contents (Attach separate sheets, if required): The original written Complaint of the Complainant is treated as FIR which enclosed herewith.

13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and took up the investigation / directed Asst. Muntaz Say of Panitanni TOP-I to take up investigation / refused investigation / transferred to P.S. Siliguri on point of jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

14. Signature / Thumb impression _____
of the Complainant / Informant

15. Date & Time of despatch to the court: On 12/5/2021 at 10:30 hrs.

[Signature]
11/05/2021
Signature of the Officer-in-Charge, Police Station
Name: Raju Inspector Incharge
Siliguri Police Station
Rank: No. 1 Siliguri Police Commissionerate

Dated:

To,

The Officer in Charge,

Panitanki TOP, Sevoke Road, Siliguri,

District Darjeeling, PIN – 734001

Subject : Written Complaint against illegal encroachment, committing nuisance and issuing of threats.

Respected Sir,

I, Sri Sanjay Kumar Attri, son of Sri Shivcharan Attri, resident of Shiv Mandir Road, Punjabipara Chowk, Siliguri, P.O. Siliguri, District Darjeeling, PIN – 734001 wish to lodge this written complaint with you against **Sri Luvkush Sha**, son of Bikhartilal Sha, who is carrying on business under the name and style **Puja Fruit & Vegetable**, in and from an **Office space** situated in the Ground Floor of the multi storied building at Punjabipara Chowk, Shiv Mandir Road, Ward No. 13 of SMC, Siliguri, District Darjeeling. The said building has been constructed by me and my brother Sri Vijay Kumar Attri on the land owned by us and we reside in the said building along with our family members. In the northern and western sides of the said Ground Floor Office space there is a **verandah** for use by us and the occupants of the said building for free movement and access. The said Ground Floor Office space was sold by me and my brother to Smt. Suman Singhal on 22.04.2014 by a registered Deed of Conveyance. In the said deed it was clearly mentioned that no encroachment shall be made in the other portions of the building and no nuisance shall be caused. Sri Luvkush Sha has been keeping both filled and empty crates, baskets, containers, boxes and gunny bags in the said verandah and the verandah remains crowded with his customers throughout the day and in the evening regularly. Sri Luvkush Sha has been encroaching upon the said verandah by keeping his aforesaid goods and by his aforesaid acts he has been creating nuisance much to the annoyance of the occupants of the said building. Sri Luvkush Sha is also blocking the verandah in front of room adjoining the said Office space in the western face of the building and creating inconvenience to me in using the said room. I and my brother have requested Sri Luvkush Sha on several occasions to remove his said goods from the verandah and not to cause such nuisance, but he did not pay any heed to our requests. On 07.05.2021 at about 6 P.M., I again requested Sri Luvkush Sha not to stack his goods in the

Contd. P/2.



verandah, but he became hostile and threatened me with dire consequences and even to physically assault me if I dare to raise objection again. Sri Luvkush Sha further threatened that he would instigate his customers against me and cause serious harm to me and my family members soon. I have come to learn that Smt. Suman Singhal has sold the said Office space to Smt. Nikky Jhajharia (wife of Sri Manish Jhajharia, resident of Panchnai Arcadia, Block Freshia, 3rd Floor, Sachitra Paul Sarani, Haiderpara, Siliguri, District Jalpaiguri vide Deed of Sale No. 154 dated 24.01.2020. In the said deed also the restrictions about encroachment and causing of nuisance has been mentioned. It appears that Smt. Nikky Jhajharia has let out the said Office space to Sri Luvkush Sha and she is fully aware of his said illegal acts and has been permitting him to continue the same without raising any objection.

Sir, Sri Luvkush Sha has been carrying on his fruits and vegetable business in the said Office space illegally and using the verandah and causing nuisance in breach of the terms of the sale deed as aforesaid and has even proceeded to threaten me in the manner as aforesaid.

I would thus request you to kindly inquire into the matter and take appropriate action against the said Sri Luvkush Sha and all concerned for the said illegal acts. I would also like to add that the crowding in the said shop and verandah by the customers throughout the day in these pandemic situation is also most unwarranted and should be immediately stopped.

Thanking You,

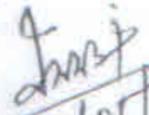
Yours faithfully,



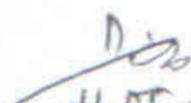
(Sanjay Kumar Attri)

Mobile No. 94747 94747

Received on 10.05.21 at 13:45 hr
vide panitanki TOP. G.D.E. NO 224
dated 10.05.21, and forwarded
to HC Siliguri PS to start a
specific case under Prover
Section of Law - and indorse
to 1/0 Asi Mantu Day for
its investigation of the case,


10/05/2021
Officer in-Charge
PANITANKI TOP
P.E. Siliguri
Dist. Jalpaiguri

Received on 11.05.2021 at 00.10 hr. vide SLG
PS GDR No. 494 dt. 11.5.21 forwarded Siliguri
PS case No. 367/21 dt. 11.05.2021 up 447/323/506
S.P.C.


11.05.2021
Inspector Incharge
Siliguri Police Station
Siliguri Police Commissionerate