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03.09.2020
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WPA 6279 of 2020
with
C.A.N. 1 of 2020
(Old No. C.A.N. 4701 of 2020)
(VIA VIDEO CONFERENCE)

Manoranjana Giri
Vs.
The State of West Bengal & Ors.

Mr. Hiranmoy Paik.
... for the petitioner.

Mr. Suprabhat Bhattacharya.
... for the respondent no. 5.

Mr. Asim Kumar Ganguly
Ms. Sukla Das Chandra.
... for the State.

Report filed in Court be taken on record.

Petitioner seeks police assistance. Petitioner claims that, the petitioner is a 'Bargadar'. Petitioner relies upon an earlier order granting police protection.

State and the private respondents are represented.

It is the contention of the State and the private respondents that, when the earlier order was passed by the Court, at that material point of time, there was a finding by an appropriate authority that the petitioner was a 'Bargadar'. Thereafter, on appeal the Appellate Authority set aside that finding. Today, there is no finding in favour of the petitioner

that he is a 'Bargadar'. In such circumstances, it is the common contention of both the State and the private respondents that the disputes are civil in nature and that no police protection can be granted.

There is substance in the contentions of the private respondent and the state. The decision of the authority declaring the petitioner as the 'Bargadar' was set aside on appeal. As on date, there is no finding of a competent authority that the petitioner is the 'Bargadar' of the land in question. Consequently, at this stage, the request of the petitioner to grant police protection cannot be accepted.

It is clarified that, this order will not prevent the petitioner from seeking the protection on the basis of appropriate material.

W.P.A. 6279 of 2020 along with C.A.N. 1 of 2020 (Old No. C.A.N. 4701 of 2020) is disposed of without any order as to costs.

(Debangsu Basak, J.)