

Sn 10.9.2020
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W.P.A.6370 of 2020
C.A.N. 1 of 2020
(Old C.A.N.4939 of 2020)
Through Video Conference

HIRANMOY MAITI VS. STATE OF WEST
BENGAL & ORS.

Mr. Ashim Kumar Routh
Ms. Anindita Auddy (Das)
 ..for the petitioner
Mr. Pantu Deb Roy
Mr. Pannalal Bandopadhyay
 ..for the State

In view of the urgency, the matter is taken up virtually. The C.A.N.1/2020 (Old C.A.N.4939 of 2020 is disposed of.

Despite service none appears on behalf of the respondent no.9. Affidavit of service filed in Court today be taken on record.

This writ petition has been filed by the petitioner challenging inaction on the part of the police authorities in taking steps despite there being an order dated April 5, 2017 passed by the Block Land & Land Reforms Officer, Contai-I, requesting the Officer-in-Charge, Contai Police Station, to restrain the respondent No.9 from committing any offence punishable under Section 4D of the West Bengal Land Reforms Act, 1955. The petitioner lodged a complaint against the respondent no.9 for illegal conversion of certain lands in Mouza

Jangipur. Pursuant to the direction, the police authorities registered Contai Police Station Case No.101 of 2017 dated April 5, 2017. Investigation was initiated and was concluded in the filing of a charge sheet being no.47/2017. Thus, the grievance of the writ petitioner has been met in so far as the investigation with regard to the illegal conversion is concerned.

However, it is submitted by the learned Advocate for the petitioner that even after filing of the charge sheet, the respondent no.9 is continuing to create disturbance on the plots of land in question. A demand of justice written by the learned Advocate for the petitioner was sent to the Collector/District Magistrate along with a copy of the same to the Officer-in-charge, Contai Police Station but no action has been taken.

It is further submitted on behalf of the State respondents that on receipt of the subsequent demand of justice, the police authorities have already prayed before the learned Magistrate for drawing up proceedings under Section 107 of the Code of Criminal Procedure. These documents have been placed before this Court on behalf of the State respondents.

As the police authorities have already taken steps pursuant to the demand of justice filed on behalf of the petitioner and a charge sheet has also been filed in connection with the allegations made by the petitioner,

no further order is required to be passed in this writ petition save and except that the learned Magistrate may pass orders in accordance with law and the police authorities shall carry out such order which may be passed.

This writ petition is disposed of.

There will, however, be no order as to costs.

Parties are directed to act on the learned Advocate's communication.

(Shampa Sarkar, J.)

