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**W.P.A. 6558 of 2020
(IA No.CAN 1 of 2020) (Old No. 5331 of 2020)**

(Through Video Conference)

**Md. Faruk Hossain Sk. @ Md. Faruk Hossain
-versus
State of West Bengal & Ors.**

**Mr. Saibal Acharya,
Mr. Bidyut Baran Biswas,
Mr. Ranjit Kumar Rath.
...For the Petitioner.**

**Mr. Raja Saha,
Mr. Pritam Choudhury.
...For the State.**

**Mr. Rajdeep Biswas.
...For the Respondent No.6**

The petitioner submits that the private respondent is forcefully restraining him from entering into his property. The petitioner alleges to have made a complaint before the police station. According to him, the police has not taken any step in response to the said complaint.

The learned advocate appearing for the State respondents submits that there is a long standing land dispute between the petitioner and the private respondent. The petitioner lodged a complaint before the police station on 25th February, 2020. The police diarized the same vide GDE No. 762 dated 25th February, 2020. An enquiry was conducted and NCR No. 259/20 dated 26th February, 2020 under Sections 107/116(c) Cr.P.C. has been submitted before the learned Court below.

In the proceeding filed by the petitioner under Section 144(2) Cr.P.C. before the learned Sub-Divisional Executive Magistrate, Krishnagar, Nadia being SDEM case No.505/2020 dated 28th February, 2020 the Enquiry Officer filed a report before the Court on 18th April, 2020 vide DR No.1767/2020.

The private respondent also filed a complaint against the petitioner before the learned Chief Judicial Magistrate, Naida and the same is pending consideration. The matter is being duly investigated by the police authority.

It appears from the report filed by the Officer-in-Charge of the Kaliganj P.S. that the dispute between the parties is a purely civil one. There are several disputed questions of fact and it is not proper for the writ court to entertain the same for the purpose of adjudication of the civil dispute of the parties.

In view of the above, no relief can be granted to the petitioner in the instant case.

The parties shall be at liberty to raise their grievance before the appropriate forum, if so advised.

The report dated 31st August, 2020 filed by the Officer-in-Charge of the Kaliganj P.S. be retained with the records.

Since no affidavit has been called for the allegations made in the writ petition are deemed not to have been admitted.

W.P.A. 6558 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Amrita Sinha, J.)