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SB

05.10.2020
Ct. No. 24

**W.P.A. 6901 of 2020
with
C.A.N. 1 of 2020
(Through Video Conference)**

**Haradhan Jana & Anr.
Vs
The State of West Bengal & Ors.**

Mr. Raja Jana
Ms. Tina Biswas
Mr. Dipankar Aditya ...For the Petitioners

Mr. Lalit Mohan Mahata
Mr. Biswajit Dutta For the State

The petitioners claim to be the owner of certain plots of land. The petitioners allege that the private respondents are illegally encroaching upon their land and making construction thereon.

The petitioners' grievance is that the Block Land and Land Reforms Officer has issued notice for settling the dispute in between the parties.

According to the petitioners, since the dispute is civil in nature, the State authorities ought not to enter and decide the same.

The learned advocate on behalf of the State respondent submits that on the complaint lodged by the parties the police have initiated necessary

proceeding and submitted prosecution report under Section 107 of the Cr.P.C. vide N.C.R. No. 409/20 dated 20th April, 2020.

None appears on behalf of the private respondents despite service.

On perusal of the grievance made by the petitioner it appears that the dispute is out and out a civil dispute. It is not open either for the writ court or for the State respondents to decide the right, title and interest in respect of landed property of the parties. The police may, however, initiate appropriate proceedings for maintenance of peace and law and order in the locale.

The parties are accordingly relegated to the appropriate forum for redressal of their grievance in accordance with law.

The writ petition along with the connected applications are disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all necessary formalities.

(Amrita Sinha, J.)

