

20-01-2020
Court No.2
Sh/12.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 593 OF 2019

**Sri Domna Oraon.Petitioner.
Vs.
The State of W.B. & Ors.... Respondents.**

Mr. Amales Roy,
Mr. Bhaskar Ray Mahasaya,
Mr. Deborshi Dhar.

. . .For the Petitioner.

Mr. Debabrata Dhar (AGP),
Ms. Bedashruti Bose.

. . .For the State.

Mr. Parthasarathi Deb Barman.

. . .For the respondent nos.11,12,14-19

Being aggrieved by the inaction on the part of the Police authorities in taking action in terms of the letter of the Project Officer-Cum-District Welfare Officer, Backward Classes Welfare, Siliguri dated March 15, 2019 this writ petition has been filed. The said Project Officer by the aforementioned letter asked the Officer-in-charge, Naxalbari Police Station to take necessary steps with regard to the matter as enumerated in the letter dated March 15,2019 and file a report. As such report was not forthcoming for a long time, this writ petition has been filed.

Without going in to the merits of the writ petition and claims and counter claims of the parties and without deciding the locustandi and/or the factum of the alleged encroachment or atrocities, this writ petition is disposed of with a direction upon the Officer-in-charge, Naxalbari Police Station to take such action

as requested by the said Project Officer and file a report before the Project Officer. Whether the petitioner has any locus or not or has any right or claim over the property are required to be decided by the appropriate authority under the provisions of law.

The Officer-in-Charge, Naxalbari Police Station is directed to complete the entire exercise with a period of four weeks from the date of communication of this order.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(SHAMPA SARKR, J.)