

WPA 4618 of 2020

**Swapan Kumar Dinda
Vs.
The State of West Bengal & Ors.**

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Mr. Kamal Kanta Kar
... For the Petitioner

Mr. Subhabrata Dutta
Mr. Debashis Sarkar
... For the State

Mr. L.N. Bhattacharya
Mr. R.K. Acharyya
Mr. B.B. Maity
... For the Private Respondent

The petitioner prays for a direction upon the police to afford protection to the petitioner at his own cost to ensure that the land of the petitioner cannot be changed to a water body. It is alleged that despite complaints the authorities have been sitting tight over the matter.

Learned counsel for the private respondent submits on the basis of records of rights annexed to the writ petition itself that the property in question has been classified as a water body and there is no question of conversion as alleged. Moreover, a connected matter is pending before the Land Reforms and Tenancy Tribunal. That apart, it is alleged by the private respondent that third parties have encroached the land for eviction of whom the petitioner has to take appropriate legal action before a competent civil court.

It appears from the records of rights, as correctly pointed out by the private respondent,

that the property in question has been classified as a water body and, since the matter is pending before the Land Reforms and Tenancy Tribunal, it would be inappropriate and premature to direct the police to take any action in that regard.

In such view of the matter WPA 4618 of 2020 is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Sabyasachi Bhattacharyya, J.)

