

19.07.2021.
Item no. 62.
Court No.13
ap

**W.P.A. No. 11115 of 2021
(Through Video Conference)**

**Smt. Rehana Bibi
Versus
The State of West Bengal & Ors.**

Ms. Sharmistha China.

...For the petitioner.

Mr. Ashim Kumar Ganguly,
Ms. Sukla Das Chandra.

...For the State.

Affidavit-of-service filed in Court today by the
Counsel for the petitioner be taken on record.

The writ petitioner is aggrieved by the actions
of the respondent no.4, who the writ petitioner claims,
is trying to illegally capture a portion of her property.

It is submitted by the Counsel for the petitioner
that upon the petitioner's objecting to the acts of the
respondent no.4, she was threatened with dire
consequences.

Counsel for the State submits that immediately
upon receipt of the complaint from the petitioner,
proceeding under Section 107 of the Code of Criminal
Procedure have been started. It is further submitted by
him that the private respondent has only claimed to be
a Constituted Attorney of some legal heirs of the
erstwhile owner of the property.

In that view of the matter, the Inspector-in-
charge, Diamond Harbour Police Station shall ensure
that there is no breach of peace in the locale and the

private respondent is not able to enter the 3.30 acres of land at Mouza – Kalisankarpur under Diamond Harbour Police Station, South 24 Parganas, comprising in Dag Nos.1092, 1093, 1220 and 1321.

The civil dispute, if any, between the petitioner and the private respondent may be thrashed out before a civil forum.

The Inspector-in-charge, Diamond Harbour Police Station shall also maintain a vigil on the said premises to ensure that there is no breach of peace in the area.

Inspector-in-charge, Diamond Harbour Police Station has submitted a report dated 15th July, 2021 in the form of instructions to the learned Government Pleader. The same is taken on record.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)