

26.07.2021

Ct. No.13

Sl. No.114

pk/akd

W.P.A. 11168 of 2021 [via video conference]

[Sk. Yakub & Anr. -Vs- The State of West Bengal & Ors.]

Mr. Bharat Chandra Simai

... .. for the petitioners

Ms. Amrin Khatoon

Mr. Mazhar Hossain Chowdhury

... for respondent nos.11 & 12

Mr. T. M. Siddiqui

... .. for the State

Affidavit-of-service filed in court today is taken on record.

Learned counsel for the petitioners submits that the private respondents have not only evicted them unlawfully from their agricultural land but have also put a bamboo fencing around it to prevent the petitioners from accessing the same. It is further submitted that the respondents have demanded Rs.5-6 lakhs protection money for returning the land to them. The petitioners have lodged a complaint with the Egra Police Station but to no avail.

Learned counsel for the State submits that the Egra P.S. has inspected the said premises and has found no bamboo fencing on the land of the petitioners. The petitioners are residing in their own house. Insofar as the allegation of extortion is concerned, the Officer-in-charge, Egra Police Station has not found any evidence or any witness to support the same.

Learned counsel for the State has stated that he is in possession of photographs taken by his client that there is no fencing on the said agricultural land. There is also a civil dispute pending with regard to the title of the land.

In that view of the matter, photographs and report of the Egra Police Station may be kept with the record and leave is granted to file the same tomorrow.

The Officer-in-charge, Egra Police Station shall ensure that there is no breach of peace in the area and the final report as regards the petitioners' complaint may be submitted to the jurisdictional Magistrate within three months from the date of communication of a copy of this order.

In the event the petitioners pray for any police protection, the Egra Police Station shall furnish the same to the petitioners at their own cost.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)