

13.08.2021.
Item no. 57.
Court No.13
ap

**W.P.A. No. 11795 of 2021
(Through Video Conference)**

**Rampada Sen & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Apurba Kumar Chakrabartty.
...For the petitioners.

Mr. Sukanta Das.
...For the respondent nos.6 & 7.

Mr. Gaus-ul-Alam,
Md. Yusuf Ali.
...For the State.

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

The writ petitioners complain of police inaction.

It is submitted that the private respondents are threatening them with dire consequences. It is further submitted that the disputes between the petitioners and the private respondents is with regard to a portion of land.

The private respondents claim that they have purchased the said land from the predecessor of the writ petitioner. A civil suit being Title Suit No. 282 of 2020 before the learned 3rd Court of Civil Judge (Junior Division), Paschim Medinipur has been filed. A restraint order has been passed against the petitioners.

The petitioners in turn have also filed a civil suit for partition, inter alia, against the private

respondents being Title Suit No.197 of 2021 which is pending before the learned Civil Judge (Senior Division) 3rd Court, Paschim Medinipur.

Orders of injunction have been passed in such suit, inter alia, against the private respondents. Police help was also ordered by the said learned Civil Judge in the aforesaid Title Suit No. 197 of 2021.

It is clear and evident from the aforesaid title suits that the disputes between the petitioners and the private respondents are completely civil in nature.

The Officer-in-charge, Debra Police Station has noted the complaint of the petitioners and has taken out proceeding under Section 107 of the Code of Criminal Procedure. In that view of the matter, the Officer-in-charge, Debra Police Station shall ensure that there is no breach of peace in the area. The petitioners and the private respondents may thrash out their title dispute of land in the pending civil suit.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

Officer-in-charge, Debra Police Station has submitted a report dated 26th July, 2021 in the form of instructions to the learned Government Pleader. The same is taken on record.

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

(*Rajasekhar Mantha, J.*)