

05.08.2021
Item no.11

Aloke
Ct. no.8

Through Video Conference

W.P.A. 12163 of 2021

Haripada Naskar
Versus
The State of West Bengal & Ors.

Mr. Debabrata Sardar, Advocate
... for the petitioner

Mr. Pantu Deb Roy, A.S.G.
Mr. Pannalal Bandopadhyay, Advocate
... for the State

Petitioner complains that the respondent nos. 2 and 3 are preventing the petitioner from cultivating his land. Complains to the police did not revoke any response.

Learned Advocate appearing for the State submits on instruction that the relationship between the petitioner and the private respondents is that of brother. There are disputes which are civil in nature between the private parties. The police enquired into the complaint and submitted a prosecution under Section 107 of the Code of Criminal Procedure. The petitioner initiated proceedings under Section 144 of the Code of Criminal Procedure. On the day when the report was called for on such day itself the writ petition was affirmed.

In the facts of the present case, it appears that there are disputes which are civil in nature between the private parties. Apparently, the brothers are fighting over the right of cultivation of an immovable property. The police acted on the

compliant by the petitioner and submitted a prosecution under Section 107 of the Code of Criminal Procedure.

In such circumstances, further interference by the writ Court is not called for.

W.P.A. 12163 of 2021 is disposed of accordingly.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all legal formalities.

(Debangsu Basak, J.)