

30.11.2021.
Court No.13
Item No. 43
ap

**W.P.A. No. 7071 of 2020
With
CAN 1 of 2020
(Through Video Conference)**

**Madan Mohan Khanra
Versus
The State of West Bengal & Ors.**

Mr. Gautam Guria.

...For the petitioner.

Mr. Suman Sengupta.

Mr. Sanatan Panja.

...For the State.

Considering the urgency pleaded by the petitioner in CAN 1 of 2020, the instant writ petition is taken up for hearing.

Accordingly, the application being CAN 1 of 2020 is disposed of.

The writ petitioner is aggrieved by the fact that despite the complaint lodged as regards the unauthorized occupation and conversion of land by the private respondents, the Officer-in-charge, Pathar Pratima Police Station has not taken any steps.

Officer-in-charge, Pathar Pratima Police Station has filed a report dated 21st September, 2020. The same is taken on record.

A large number of facts, indicating gross impropriety, if not the crime perpetrated by the petitioner and his associates in respect of certain plots of land are revealed.

This Court is of the view that the writ petition may be a cloak used by the petitioner, to otherwise cover up their illegalities and give a colour of lawful dispute to obtain illegal orders of the Court.

In that view of the matter, the District Magistrate, South 24 Parganas shall look into the matter forthwith and cause a detailed enquiry in respect of the acts and omission of the petitioner and the private respondents in this regard.

It also appears to this Court that certain properties being the subject matter of this writ petition may be wakf properties since they have been in possession of a Masjid Committee. The District Magistrate, South 24 Parganas shall, at his discretion, give notice to the said Wakf Committee and ensure that appropriate steps are taken. If any illegality or omission is evident against the respondents, appropriate criminal and civil proceedings shall be drawn up against the petitioner and the private respondents in accordance with law.

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

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)

