

AD. 19.
January 6, 2021.
MNS.

W. P. A. 11115 of 2020
(Via video conference)

Sri Parimal Mridha and others
Vs.
State of West Bengal and others

Mr. Tarun Chatterjee,
Mr. Rameshwar Sinha

... for the petitioners.

Mr. Subhabrata Datta,
Mr. Abdus Salam

...for the respondent-authorities.

The petitioners are cultivators in respect of the disputed plot of land and place reliance on extracts of records of rights, annexed to the writ petition to establish their possession in respect of the land-in-dispute. Despite complaints being lodged and a proceeding being initiated under Section 144(2) of the Code of Criminal Procedure, in which a restraint order was passed, it is alleged that the police authorities are not taking appropriate steps in that regard.

However, learned counsel appearing for the respondent-authorities files a report in the form of instructions indicating that the situation in the area is being kept under control and police

vigil is being kept as tension has “geared up” in the area.

However, the report does not indicate anything about adequate protection being given to the petitioners, particularly keeping in view the inequality of social status between the petitioners and the private respondents, the former being cultivators coming from weaker section of society and the private respondents who allegedly have political affiliations.

In such view of the matter, W. P. A. 11115 of 2020 is disposed of by directing the respondent no. 2 to provide adequate protection to the petitioners with regard to their possession and cultivation in respect of the plot-in-dispute, if necessary, by deploying sufficient number of police personnel to ensure that the criminal court’s order is implemented in letter and spirit.

There will be no order as to costs.

The parties are directed to act on the communication of the learned advocates and on server copy of this order without insisting upon prior production of certified copy thereof.

(Sabyasachi Bhattacharyya, J.)