

04.02.2022.
Court No.13
Item No. 32
ap

**W.P.A. No. 728 of 2021
(Through Video Conference)**

**Sutap Chandra Das
Versus
The State of West Bengal & Ors.**

Mr. Rafikul Islam Sardar.

...For the petitioner.

Mr. Anup Dasgupta,
Mr. Somnath Bhattacharjee,
Ms. Sharmistha Paul.

...For the private respondent.

Mr. Lalit Mohan Mahato,
Mr. Prasanta Behari Mahato.

...For the State.

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

The Officer-in-charge, Nandigram Police Station
has filed a report dated 21st January, 2022 in the form
of instructions to the Government Pleader, High Court,
Calcutta. The same is taken on record. The said
instruction for some strange reason was not produced
on 25th January, 2022 by the State.

Be that as it may, it appears that there is a long-
standing dispute between the petitioner and the
private respondent with regard to the land in question.

The private respondent does not dispute that the
land belongs to the petitioner. However, it is submitted
that his father, one Hemanta Mondal, was an
“Anumati Dong” in respect of portion of the land under
K.B. Khatian. The said K.B. Khatian is admittedly

standing in the name of Srihari Charan Das of Amdabad.

This Court is, therefore, of the view that any illegal occupation or otherwise or interference, must be decided by a Civil Court and the Writ Court cannot enter into the disputes.

This Court, however, notices the observations of the Officer-in-charge, Nandigram Police Station that the private respondent, namely, Sukumar Mondal, is of doubtful antecedents and is dangerous.

This Court is not satisfied with the proceedings under Section 107 of the Code of Criminal Procedure taken out. It is expected that suitable and other proceedings are taken out against Sukumar Mondal on receipt of any complaint from the petitioner. The Officer-in-charge, Nandigram Police Station shall ensure that there is no breach of peace in the locale and strict vigil shall be kept thereat.

The Officer-in-charge, Nandigram Police Station shall in future, act promptly at the direction of the High Court and is warned against any delay in complying with such direction.

Let a copy of this order be sent to the Superintendent of Police, Purba Medinipur.

With the aforesaid directions, 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.)