

M/L 860
05.01.2023
Court. No. 19
GB

CAN 1 of 2022
In
W.P.A. 2853 of 2021

Smt. Gita Rani Bera & Ors.
VS
The State of West Bengal & Ors.

Mr. Snehais Jana.

...for the Petitioners.

CAN 1 of 2022 is an application for modification of the order dated July 6, 2022. The writ petitioners had prayed for a direction upon the police authorities to put the petitioners back in possession of their houses in their village. An order was passed by the Court with a direction upon the Officer-in-Charge, Bhabanipur Police Station to escort the petitioners back to their village. It was further directed that a list be furnished to the Officer-in-Charge, Bhabanipur Police Station with regard to the number of family members, who the petitioners desired to be escorted back to the village. The police authorities had informed the petitioner no.1 that the interested persons would be taken to the village by police escort and the police authorities would take all steps to ensure the safety and security.

On the first attempt eleven persons were accompanied to the village house. The said persons entered their houses, but left after keeping the house under lock and key. The police authorities asked those persons/ petitioners to submit a written declaration to that effect. They refused to do so. Finding no other alternative, local witnesses who were

present during such incident wrote their versions with regard to the incident. The incident was videographed.

The Court found that there was no inaction on the part of the police. It was recorded in the order that ample opportunity was given by this Court to the petitioners to return to their village.

The petitioners have been charge-sheeted on completion of a criminal investigation. The police authorities were, however, directed to keep a vigil on Dag Nos.1274 and 1273.

The petitioners have now prayed for a modification of this order praying for further orders on the basis of the incidents which took place after the disposal of the writ petition. They pray for a direction of police posting.

Under such circumstances, the Court does not find any merit in the application for modification. If there are subsequent events and the petitioners are in need of further police protection, the remedy of the petitioners would be to file appropriate application before the appropriate Court.

Accordingly, the application is disposed of without any orders.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)