

30.08.2022
Court No. 19
Item 568 (ML)
CP

WPA No. 2544 of 2022

Nur Islam Molla & anr.
Vs.
The State of West Bengal & ors.

Mr. Munshi Ashiq Elahi
Mr. A. Mridha
Md. Sahidullah Mridha

...for the petitioners.

Mr. Pantu Deb Roy
Mrs. Rupsha Chakraborty

....for the State.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the respondents nos. 7 to 39.

An allegation of police inaction has been made. It is the specific contention of the petitioners that the respondent nos. 7 to 39 had illegally taken away the paddy from the lands of the petitioners.

The police authorities have filed a report. It appears that pursuant to the direction of the learned Executive Magistrate, an enquiry was held. There was a dispute between the parties, with regard to cultivation. In order to maintain peace and to prevent commission of any cognizable offence, Nur Islam Molla and Ansar Molla were arrested under Section 151 of the Cr.P.C. Thereafter, the said persons were released upon furnishing bail bonds. Proceedings

under Section 107 of the Cr.P.C. was also submitted. A local enquiry further revealed that both the parties had cultivated on their respective lands and had taken away the crops to their houses. The police authorities requested the Block Land & Land Reforms Officer, Mandir Bazar Block to demarcate the lands of the parties.

Under such circumstances, the petitioner is granted liberty to approach the Inspector-in-Charge, Mandir Bazar Police Station, with their grievances, in case the said grievances continue to subsist. On receipt of such complaint, the police authorities shall act and proceed in accordance with law.

The police authorities shall maintain peace in the locality and keep a vigil. The police report is taken on record.

This order shall not prejudice any pending proceedings.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)