

30.08.2022
Court No. 19
Item 584(ML)
CP

WPA No. 4345 of 2022

Nirmal Mahata & ors.
Vs.
The State of West Bengal & ors.

Mr. D. K. Adhikari
Mr. D. Bhattacharya
...for the petitioners.

Mr. Santanu Mitra
Mr. T. B. Mandal

...for the State.

Mr. K. M. Hossain
Ms. Keya Sutradhar

...for the respondent no. 7.

It is submitted by the learned advocate for the respondent no. 7 that the said respondent does not have any interest with regard to the land in question. It is his specific contention that when the petitioner went to demarcate the land, with the help of an Amin of the concerned block, the respondent no. 7 only identified the land.

The police report indicates that a hot altercation took place between the parties over such demarcation, when the land was being measured. Accordingly, prosecution under Section 107 of the Cr.P.C. was submitted against Subhas Hembram and five others. Prosecution against one Nirmal Mahata

and three others of the village was also submitted over the alleged incident.

When the respondent no. 7 submits that the said respondent does not have any interest with regard to the land in question, nothing further survives to be decided in the writ petition.

The police authorities shall keep a vigil in order to ensure that peace is maintained.

The right of the petitioners with regard to the cultivation of the eucalyptus trees on the said land, cannot be decided in this proceeding.

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.)