

25.11.2022.
Court No.13
Item No. 409
ap

W.P.A. No. 6354 of 2021

**Biswanath Mondal
Versus
The State of West Bengal & Ors.**

Mr. Atarup Banerjee,
Mr. Bapin Baidya.

...For the petitioner.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak.

...For the State.

The petitioner is aggrieved that the private respondent, who was quiet until 2019, has started interfering with the petitioner's possession and peaceful enjoyment of land.

The interference began since after the private respondent occupied a post in the local Gram Panchayat.

Counsel for the State, however, submits that not only has an FIR been lodged against the private respondent on the complaint of the petitioner, but also a charge-sheet has been filed being C.S. No. 114 of 2021 dated 30th May, 2021 under Sections 447/506 of the Indian Penal Code.

There is prima facie evidence before this Court of misconduct by the private respondent.

Inspector-in-charge, Sagar Police Station shall ensure that the private respondent does not in any

way interfere with the petitioner's possession of land.

However, the petitioner may take out appropriate civil proceedings to fortify his claims over the land in question.

With the aforesaid observations, 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.)