

03.11.2022.
Court No.13
Item No. 14
ap

W.P.A. No. 6560 of 2022

**Sagir Ahmed
Versus
The State of West Bengal & Ors.**

Mr. Debabrata Roy,
Sk. Abdus Salam,
Mr. Subrata Mukherjee.

...For the petitioner.

Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar.

...For the State.

Mr. Amit Kumar Pan,
Mrs. Tanusri Santra.

...For the respondent nos.6, 7 & 8.

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

The writ petitioner claims that the private
respondents are forcibly entering into his land and
using it as a playground and for club activities.

Counsel for the private respondents submits
that the petitioner has no locus or title to the land in
question. It is also submitted that the property is
being used by a local club and a school as a
playground.

Counsel for the State submits that political
rallies are held thereat.

This Court is the view that title to the property
and possession thereof cannot be decided by a writ
Court. The remedy of the petitioner is before an
appropriate Civil Court.

However, Inspector-in-charge, Rabindranagar Police Station shall ensure that there is absolutely no breach of peace in the area.

With the aforesaid directions, the instant writ petition shall stand disposed of.

Instructions of the Inspector-in-charge, Rabindranagar Police Station, DDH Police District, South 24 Parganas dated 26th September, 2022 addressed to the Government Pleader, High Court, Calcutta be taken on record.

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.)