

07.09.2022
Court No.13
Item No.518
pk

WPA 6602 of 2022

Sri Tapan Kumar Guria and another
Vs.
The State of West Bengal and others

Mr. Anil Kumar Jana,
Ms. Rita Patra

...for the petitioner

Despite service of notice, respondents are not represented. Affidavit of service filed in Court is taken on record.

The writ petitioner submits, that despite complaint dated 03.12.2021 lodged with the Sagar Police Station and subsequent complaint to the Superintendent of Police, Sundarban Police District, he and his men were beaten up while tilling their land and no steps have been taken.

The petitioner relies upon a judgement of a Division Bench of this Court dated 5th September, 2018 passed in WPLRT No. 44 of 2018 which has recognised an injunction passed by the Civil Judge (Junior Division), South 24 Parganas at Kakdwip in T. S. No. 286 of 2013.

In those circumstances, the Officer-in-Charge, Sagar Police Station shall ensure that the petitioner is able to enjoy his land peacefully without disturbance and if necessary, deploy sufficient police personnel there at.

This Court would have normally directed the petitioner to approach the Civil Court to seek enforcement of its order or injunction. However, considering the fact that a Division Bench of this Court has also recorded and upheld the order of injunction and a subsequent order of status quo passed in other suit, this Court has issued the above directions on the respondents:

The Superintendent of Police, Sundarban Police District/respondent no. 2 shall ensure that the Sagar Police Station complies with the aforesaid order.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)