

18.07.2022
Court No. 19
Item no.445
CP

W.P.A. No. 8487 of 2022

Jogendra Nath Sardar
Vs.
The State of West Bengal & ors.

Mr. Joy Chakraborty
Mr. Sandip Dinda

....for the petitioner.

Mr. Jahar Dutta
Mr. Bipin Ghosh

....for the State.

Affidavit of service is taken on record. Despite service, none appears on behalf of the respondent nos. 4 to 6.

The police report is taken on record. It appears that the police authorities have already registered a case on the basis of the complaint of the petitioner vide Bishnupur PS Case No. 282/22 dated May 1, 2022, under Sections 341/323/325/506/34 of the Indian Penal Code. The investigation is under progress.

The petitioner alleges that subsequently when the petitioner went to start fencing around the land in question, the respondent nos. 4 to 6 objected and resisted such fencing work.

Again, a complaint was filed before the police authorities. It is alleged that the police authorities have not taken any steps to assist the petitioner in the fencing work. Prayer is made that the police authorities be directed to give adequate protection to the petitioner.

Having perused the police report, it appears that the land which was trespassed into by the respondent nos. 4 to 6, was recovered by the police authorities during the course of investigation and the land has been guarded by a bamboo fencing.

Under such circumstances, the writ petition is disposed of with a direction upon the Inspector-in-Charge, Bishnupur Police Station to keep a constant vigil in order to prevent dispossession or trespass.

This order shall not be construed as a declaration of the right, title and interest of the parties.

The investigation which is in progress, shall be concluded in a free, fair and impartial manner.

The writ petition is disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)