

05.07.2022
Sl. No.50(ML)
srm

W.P.A. No. 10065 of 2022

Arijit Pramanik

Versus

The State of West Bengal & Ors.

Mr. D. Deb,
Mr. Pabitra Biswas

...for the Petitioner.

Mr. Amitesh Banerjee,
Mrs. Ipsita Banerjee

...for the State-respondents.

Mr. Surajit Basu,
Mr. Manoj Kurrmi,
Ms. Ranu Mondal

...for the Respondent No.10.

Mr. Guddu Singh

...for the Respondent No.11.

Affidavit-of-service is taken on record.

The police report is taken on record. It appears that the respondent Nos.7 to 13 were permitted by the petitioner's father to construct temporary sheds/houses, on the land in question. They were permitted to reside there and also run their business. Such information was revealed upon interrogating the elder brother of the petitioner, namely, Arunangshu Pramanik.

The petitioner vehemently denies such contention of the police authorities and submits that the

respondent Nos.7 to 13 encroached into the land of the petitioner and they have been indulging in nefarious activities.

Mr. Singh and Ms. Ranu Mondal, learned Advocates appearing on behalf of the respondent Nos.11 and 10 respectively, deny the contentions of the petitioner. They submit that the shops have been constructed on a land adjacent to the road and the petitioner is using an indirect method of evicting the persons, who have in settled possession since long. It is specifically contended that egress and ingress of the petitioner, has not been blocked.

The issues with regard to encroachment and removal of encroachers cannot be decided either by this Court or by the police authorities. The police authorities are bound to enquire and ensure that law and order is maintained. It appears that the police authorities are already keeping a sharp vigil to prevent any untoward incident. Such vigil shall continue.

The petitioner shall be at liberty to lodge a specific complaint before the Officer-in-Charge, Talpatighat Coastal Police Station, Khejuri. If such complaint is filed, the police authorities shall act and proceed in accordance with law. This order shall not be

construed as an observation on the correctness of the statements made by the petitioner. The investigating agency will decide the matter independently, as and when approached by the petitioner.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)