

S/L 49
27.06.2022
Court. No. 19
GB

WPA 10320 of 2022

Radheyshyam Mondal
VS
The State of West Bengal & Ors.

Mrs. Sikha Pal Choudhury.

...for the Petitioner.

*Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas.*

...for the State.

*Mr. Kalyan Kumar Chakraborty,
Mr. K. Bhattacharya,
Mr. P. Majumdar,
Mr. Ashok Halder.*

...for the Respondent Nos.4 to 13.

Affidavit-of-service filed in Court today, be kept with
the record.

The records do not reveal that the petitioner had
approached the police authorities with his complaint. On the
other hand, the police authorities suggest that there is a case
pending against the petitioner, in which the petitioner is an
accused. This relates to Bhutni P.S. Case No.7 of 2022 dated
January 20, 2022 under Sections 341/325/308/34 of the
Indian Penal Code.

The allegation of the petitioner is that the respondent
nos.4 to 13 have been harassing the petitioner in multiple
ways and preventing the petitioner from enjoying his land.

It is submitted by Mr. Chakraborty, learned advocate
appearing on behalf of the respondent nos.4 to 13, that the
petitioner was an accused in another proceeding but, the
proceeding ended with the acquittal of the petitioner.

The dispute between the parties with regard to the
land in question, has been pending since long. Such dispute

has a civil character and the petitioner must approach the civil court.

As the petitioner has not yet approached the police authorities, this Court does not find any reason to interfere in the writ petition. The petitioner is at liberty to approach the Officer-in-Charge, Bhutni Police Station by filing an appropriate complaint. If upon considering the same, the police authorities are of the opinion that cognizable offence has been made out, the police authorities shall act and proceed in accordance with law. However, the police authorities shall ensure that law and order is not breached by either party.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)