

29.06.2022
Sl. No.36
srm

W.P.A. No. 10565 of 2022
Alauddin Mondal
Versus
State of West Bengal & Ors.

Mr. Sandipan Pal
...for the Petitioner.

Mr. Amitesh Banerjee,
Mrs. Ipsita Banerje,
Mr. Suddhadev Adak
...for the State-respondents.

Despite service, none appears on behalf of the respondent
Nos.4 and 5. Affidavit-of-service is taken on record.

Upon perusal of the complaint of the petitioner filed
before the police authorities, it transpires that apprehending the
respondent Nos.4 and 5 were preparing to encroach into the land
of the petitioner, the complaint was lodged. The petitioner relies
on an order passed by the learned Sub-Divisional Executive
Magistrate, Baruipur. The police authorities were directed to
maintain peace and tranquility.

The pleadings reveal that there is a dispute with regard to
the use and occupation of certain lands of which the petitioner
claims to be a recorded bargadar.

Such dispute cannot be decided by the police authorities.
However, the police authorities shall ensure that law and order is

maintained and shall also prevent any untoward incident. This order shall not be construed as a declaration of the petitioner as a bargadar and the question of right, title and interest of the petitioner and the respondent Nos.4 and 5, in respect of the property, has not been decided.

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.)