

08.07.2022
Sl. No.79(ML)
srm

W.P.A. No. 11047 of 2022

Sri Tridip Ghosh & Ors.

Versus

The State of West Bengal & Ors.

Mr. Indradeep Pal,
Mr. M.F. Rahaman,
Mrs. Sougata Das (Pal)

...for the Petitioners.

Ms. Chaitali Bhattacharya,
Mr. Kartik Chandra Kapas

...for the State-respondents.

Despite service, none appears on behalf of the respondent Nos.6 to 13. Affidavit-of-service is taken on record.

It has been submitted by Ms. Bhattacharya, learned Senior Government Advocate, that the police authorities found, upon enquiry, that the allegation of the petitioners with regard to the attempts of the respondent Nos.6 to 13 to dispossess the petitioners from their lawful possession, pursuant to the decree of the civil court, was correct. In order to avoid breach of peace and to maintain law and order, prosecution under Sections 107/116(3) of the Code of Criminal Procedure was submitted by Memari PS NCR No.434/22 dated May 17, 2022. The police report is taken on record.

Although the dispute is over land, yet, the police authority must ensure that the law and order is maintained and no further untoward incident takes place over such issue.

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.)