

19.7.2022
Court No. 19
Item no.145
sn

WPA No.12052 of 2022

Prasenjit Mondal

Vs.

The State of West Bengal & ors.

Mr. Uttam Banerjee

Mr. A. Pathak

Mr. M.K. Biswas .for the petitioner

Let the affidavit of service be taken on record.

The petitioner claims to be the power of attorney holder of the owners of some plots of land.

The petitioner alleges that the Officer-in-Charge, Narendrapur Police Station, did not take any steps on the basis of the complaint of the petitioner dated March 16, 2022.

It is alleged that some unidentified persons had occupied the land of the petitioner and were trying to develop the property. It is further alleged that the said occupants did not have any valid title or documents of possession in respect of the lands in question and as such the police authorities must take immediate steps to evict the said occupants from the land.

It appears from the pleadings and the documents annexed to the writ petition, that no

complaint was ever lodged before the concerned police station.

A representation was sent to several authorities including the Officer-in-Charge, Narendrapur Police Station. In any event, as the petitioner alleges encroachment and dispossession from the property, the remedy of the petitioner would be before the learned civil court. Such issues with regard to title and possession cannot be decided by the police authorities. The police authorities cannot be asked to remove the occupants or evict them from their possession.

However, the police authorities shall ensure that no breach of peace takes place in the locality, over the dispute raised by the petitioner.

This writ petition is disposed of.

There will be, however, 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.)