

S/L 20
08.06.2022
Court. No. 19
GB

WPA 13445 of 2021

Satyapada Nandi
VS
The State of West Bengal & Ors.

Mr. Soumik Ganguli.

...for the Petitioner.

*Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee.*

...for the State.

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

Despite service none appears on behalf of the respondent no.8.

The petitioner alleges that the Inspector-in-Charge, Raipur Police Station has not provided adequate protection to the petitioner. The respondent no.8 has allegedly disturbed the petitioner, when the petitioner tried to cultivate on 44 decimals of land in Dag No.62 situated under Mouza-Baheraboni. The petitioner contends that 44 decimals of land belongs to the petitioner. The petitioner has been in possession of the said land since long. However, the respondent no.8 along with some muscle men have continuously threatened the petitioner.

Mr. Banerjee, learned senior standing counsel submits that the dispute between the parties, is civil in nature. A civil suit is pending. Mr. Banerjee further submits that pursuant to the complaint filed by the petitioner, the police authorities enquired into the allegations. Report for prosecution vide

NCR No.419/2021 dated August 28, 2021 was submitted against the respondent no.8 with a direction to maintain peace and tranquillity in the area.

The petitioner submits that there is an apprehension that again, during the cultivation season, the respondent no.8 will cause serious disturbance and disruption in the cultivation work. Police posting is prayed for.

Under such circumstances, the petitioner is at liberty to approach the Superintendent of Police, Bankura with a prayer for police posting. The said authority upon assessing the ground reality and the present situation as also upon hearing the petitioner and the respondent no.8, shall decide the issue as to whether police posting would be required in this case. If such application is made, the same shall be disposed of within a period of six weeks. If any order of police posting is passed, needless to mention that the petitioner shall bear the costs of such police posting.

This order shall not be construed as a decision on the right, title and possession of the petitioner in respect of the land in question. Such issue shall be decided in the civil suit.

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.)