

22.08.2022
Sl. No.436(ML)
srm

W.P.A. No. 16486 of 2021

Anita Karmakar

Versus

The State of West Bengal & Ors.

Mr. Himadri Kumar Mahata,
Mr. Ziaul Haque

...for the Petitioner.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent Nos.5 and 6.

The allegation of the petitioner is that the respondent Nos.5 and 6 were trying to physically oust the petitioner from his possession in respect of a land which was settled in favour of the husband of the petitioner, by way of a '*patta*'. The petitioner approached the Sub-Divisional Officer, Islampur seeking police assistance against the said respondents. The Sub-Divisional Officer asked the Inspector-in-Charge, Chopra Police Station to make an enquiry and take necessary action. It is alleged that the police authorities have not taken any steps pursuant to the direction of the said Sub-Divisional Officer.

As the issue is with regard to the possession and settlement of land by way of '*patta*', such disputes between the parties being civil in nature cannot be resolved by the police. However, the police authorities must enquire and ensure that the parties maintain law and order and no untoward incident takes place.

The issues with regard to the title on the basis of the alleged '*patta*' and possession, etc. have not been gone into by this Court.

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.)