

08.09.2022
Court No.13
Item No.45
AP

WPA 16230 of 2022

**Jiyarul Sekh
Vs.
The State of West Bengal & Ors.**

Mr. Gobinda Chandra Baidya

... For the Petitioner.

Mr. B. Biswas
Mr. G.C. Samanta
Mr. Biplab Sardar

... For the Respondent Nos.6 to 8.

The petitioner complains that the private respondents having obtained an order of injunction and status quo from the learned Civil Judge (Senior Division), 2nd Court, Baruipur in Title Suit No.180 of 2022, are using the police officials to cultivate and till land. It is stated that a tractor is being used by the S.I. Joydip Bhowmick, Basanti Police Station for the said purpose.

This Court has not understood that the police have any duty to provide free agricultural labour to any person.

A plain reading of the order of the Civil Court appears to indicate that the private respondents could cultivate the land, however, since the entire pleadings of the Court below are not before this Court, the parties may seek appropriate clarification as regards the scope of its order.

It shall be clarified by the Court below as to whether the order of injunction and status quo dated 22nd April, 2022 intended to the private respondents to cultivate the land or not.

In course of clarification as directed hereinabove, any observation of this Court on the plaintiffs and/or defendants in the suit shall not influence the Court below.

The Officials of the Basanti Police Station are directed not to provide in agricultural labour.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)