

06.09.2022.
Court No.13
Item No. 74
ap

W.P.A. No. 16233 of 2022

**Rabindra Hazra & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Gobinda Chandra Baidya,
Mr. Gobinda Baidya.

...For the petitioners.

Mr. Amal Kumar Sen,
Mr. Lal Mohan Basu.

...For the State.

Md. Mokaram Hossain,
Mr. Saumen Gayen,
Mr. Sandipan Maity.

...For the respondent no.6.

Affidavit-of-service filed in Court today be taken
on record.

The petitioners are aggrieved that the private
respondent is interfering with the petitioners' right in
respect of his land and has filed a complaint with the
Dholahat Police Station under the Sundarban Police
District.

Dholahat Police Station has submitted a report
in the form of instructions addressed to the learned
State Advocate dated 7th August, 2022. The same is
taken on record.

It appears from the said report that the dispute
between the petitioners and the private respondent is
purely civil in nature.

Counsel for the petitioners submits that his clients are the recorded Bargadar in respect of the land in question.

Counsel for the private respondent submits that the original Bargadar was the petitioners' father and the petitioners have not been substituted in place of their father. Counsel for the petitioners disputes such contentions of the private respondent.

This Court is of the view that the parties may seek appropriate remedies before the West Bengal Land Reforms and Tenancy Tribunal. The said Tribunal, if approached, shall proceed to deal with the matter uninfluenced by any of the observations made hereinabove.

The Inspector-in-charge, Dholahat Police Station shall, however, maintain a regular vigil on the said premises and ensure that there is no breach of peace in the area. The parties are also directed to maintain peace in the locale.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

