

08.09.2022
Court No.13
Item No.92
AP

WPA 17216 of 2022

**Sandhya Metya
Vs.
The State of West Bengal & Ors.**

Mr. Subrata Karmakar

... For the Petitioner.

Mr. Amal Kumar Sen
Mr. Jaladhi Das

... For the State.

The petitioner complains that notwithstanding decree in Title Suit No.106 of 2015 passed by the learned Civil Judge (Junior Division), 1st Additional Court, Contai, the private respondents miscreants preventing him from entering into his agricultural land and are removing earth therefrom.

The remedy of the petitioner is to seek execution of the declaratory decree and permanent injunction granted thereat.

Learned counsel for the State has produced a report in the form of instructions dated 11th August 2022 issued by the Inspector-in-Charge, Contai Police Station, Purba Medinipur addressed to the learned Government Pleader and the same is taken on record.

It appears from the report that the land is registered in the name of Punjab National Sentanary Rural Development.

It was found from the inspection of the Contai Police that there was no earth removing equipment engaged by any person to excavate land therefrom.

In that view of the matter, the remedy of the petitioner is to seek execution of the decree he has already obtained.

The Officer-in-Charge, Contai Police Station shall, however, ensure there is no breach of peace in the area.

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.)