

14.09.2022
Court No.13
Item No.35
AP

WPA 17909 of 2022

**Sri Prakash Chandra Roy
Vs.
The State of West Bengal & Ors.**

Mr. Tulshidas Ray
Mr. Tirthankar Roy

... For the Petitioner.

Mr. Asish Kumar Guha
Mr. Naren Ghosh

... For the State.

The petitioner is aggrieved by the fact that notwithstanding decree passed by the learned Civil Judge (Junior Division), 3rd Additional Court, Alipore, South 24-Parganas in Title Suit No.406 of 2020 on 11th May 2022 the private respondents continue to harass the petitioner and interfere with the possession of his property. The petitioner complains that the private respondents are stealing earth on his land and threatening him.

The remedy of the petitioner is in seeking execution of the aforesaid decree, which has not been done till date.

Counsel for the State submits that since after the receipt of the petitioner's complaint proceeding under Section 107 of the Cr.P.C. has been taken out.

In these circumstances, this Court directs the Gosaba Police to maintain strict vigil on the suit premises and ensure that there is absolutely 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.

The report of the O.C. Gosaba Police Station, Baruipur Police District, dated 22nd August 2022 is taken on record.

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

(Rajasekhar Mantha, J.)