

S/L 111
22.06.2022
Court. No. 19
GB

WPA 18679 of 2021

Isahak Ali
VS
The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Safiur Rahaman,
Mr. Diptendu Mandal,
Mr. Nikhil Gupta.

...for the Petitioner.

Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee.

...for the State.

Mr. Habibur Rahman,
Md. Ali Asasan.

...for the Respondent Nos.4 to 13.

Affidavit-of-service filed in Court today, be kept with
the record.

The petitioner has prayed for an order upon the police
authorities to grant protection when the petitioner harvests
the crops on LR Plot No.1600 of Mouza-Deepnagar, J.L.
No.87. The allegation is, that the respondent nos.4 to 13 have
been disturbing such cultivation.

The respondent nos.4 to 13 have filed a reply, given
under the Right to Information Act dated January 25, 2022
by the Block Land and Land Reforms Officer, Raiganj, Uttar
Dinajpur. It appears that the LR Plot No.1600, over which
the petitioner claims title, has vested to the State of West
Bengal. Total area of vesting has been stated to be 5.10 acres.

The police authorities have also filed a report, which
corroborates the statements of the respondent nos.4 to 13.

The respondent nos.4 to 13 submitted that they have been in occupation of the said land and they also applied for patta.

Pursuant to the complaint lodged by the petitioner, SI Subhankar Ghosh, Raiganj Police Station made an enquiry and filed a report for prosecution under Section 107 of the Code of Criminal Procedure. The parties have directed to maintain peace and tranquillity.

The police report is taken on record.

Under such circumstances, as there are disputes with regard to title of the petitioner in respect of the land, which had vested to the State of West Bengal, no relief can be granted to the petitioner. The remedy of the petitioner before the appropriate forum is kept open.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)