

S/L 30  
08.06.2022  
Court. No. 19  
GB

WPA 18911 of 2021

Jyotsna Karmakar  
VS  
The State of West Bengal & Ors.

*Mr. S.M. Ismail.*

*...for the Petitioner.*

*Sk. Md. Galib,  
Ms. Subhra Nag.*

*...for the State.*

*Mr. Indranath Mitra.*

*...for the Respondent No.5.*

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

The report filed by the State respondents be kept with the record.

The petitioner alleges that despite there being an order of the Executive Magistrate, Baruipur Sub-Division, South 24 Parganas in MP Case No.3006 of 2021, directing the police authorities of Kashipur Police Station to enquire into the allegations against the respondent no.5 and also the disturbance created by the said respondent, the police authorities did not take any steps. In the meantime, the order dated September 28, 2021, lost its force.

The allegation is that the respondent no.5 has been disturbing the petitioner's peaceful possession of her property. The said property is situated at R.S. Plot No.717, under R.S. Khatian No.1248 of Mouza-Panapukur. The petitioner occupies a small part of the said plot.

The pleadings reflect that the dispute is civil in nature. However, the petitioner has alleged that the respondent no.5 had constantly created disturbance and has now been threatening the petitioner with dire consequences. From the order of the Executive Magistrate, it appears to the Court that the dispute is over the right, title and possession of certain lands in question and the Executive Magistrate had already directed the concerned Block Land and Land Reforms Officer to enquire into the status of the land and file a report.

Under such circumstances, the writ petition is disposed of with a direction upon the petitioner to file a representation before the Superintendent of Police, South 24 Parganas. If such representation is filed, the same shall be disposed of in accordance with law, upon hearing the petitioner as also the respondent no.5.

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.)**