

07.07.2022
Sl. No.347(ML)
srm

W.P.A. No. 19716 of 2021

Ahad Ali

Versus

The State of West Bengal & Ors.

Md. Asraful Huq,
Mr. Maidul Islam Kayal,
Mr. Sumit Naskar

...for the Petitioner.

Mr. Jahar Lal De,
Mr. Shamim ul Bari

...for the State-respondents.

The writ petition cannot be entertained at this stage.

The petitioner's satisfaction with the action of the police authorities had been considered by a learned co-ordinate Bench of this Court and an order dated July 29, 2021 was passed in WPA No.10329 of 2020, disposing of the writ petition upon recording such satisfaction. The petitioner had alleged encroachment of a government land. The learned Sub-Divisional Executive Magistrate had directed removal of encroachment. The encroachment was removed and such fact was recorded in the order of his Lordship. Now the petitioner alleges that the encroachment was not removed and he was forced to sign blank papers.

The police authorities have submitted that such encroachment was removed. Satisfaction of the petitioner was recorded in writing and produced before the learned co-ordinate Bench.

Under such circumstances, this Court cannot reopen the issue. The petitioner did not challenge the order passed by His Lordship nor did the petitioner seek review of the said order on the alleged ground.

The declaration of the petitioner and the proceedings initiated by the police authorities, have been filed before this Court, in the form of a report.

This order shall not prevent the petitioner from approaching the appropriate forum, in accordance with law.

The writ petition is, thus, disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)