

S/L 36
08.06.2022
Court. No. 19
GB

WPA 19788 of 2021

Maniul Haque Chowdhury
VS
The State of West Bengal & Ors.

*Md. Nauroz Rahber,
Ms. Anjana Mehebab,
Muhammad Jawwad.*

...for the Petitioner.

*Mr. Sirsanya Bandopadhyay,
Ms. Tapati Samanta.*

...for the State.

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

According to the petitioner, the Inspector-in-Charge, Raipur Police Station and Officer-in-Charge, Bhatol Police Out Post, have failed and neglected to take steps pursuant to several complaints lodged by the petitioner against the respondent nos.10 to 21.

The petitioner's case is that, the title of the petitioner in respect of the L.R. Plot Nos.114/703 and 113/356 of Mouza-Bhatol under Raiganj Police Station, has been upheld up to the High Court. A Special Leave Petition is pending before the Hon'ble Apex Court. An order of *status quo*, has been passed by the Hon'ble Apex Court, but the respondent nos.10 to 21 have been continuously harassing and disturbing the petitioner and are trying to violate the order of *status quo*.

Mr. Bandopadhyay, learned junior standing counsel files a report prepared by the Inspector-in-Charge, Raiganj Police Station. From the said report, it appears that on the

basis of the complaints filed by the petitioner, the police authorities have made several enquiries. Upon enquiry, it was revealed that no construction was going on at the plots, as alleged by the petitioner. Prosecution under Section 107 of the Code of Criminal Procedure has been submitted directing both the parties to maintain peace and tranquillity in the area. The police authorities have specifically stated in the report, that commission of a cognizable offence, could not be found.

The petitioner prays that a police posting may be granted. The petitioner is at liberty to apply before the appropriate authority, namely, the Superintendent of Police, Raiganj District Police. If such representation is made, the same shall be disposed of by the Superintendent of Police, Raiganj District Police upon hearing all the parties.

It is made clear, that if the prayer of the petitioner for police posting is allowed, the necessary costs as assessed by the authority shall be borne by the petitioner.

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.)