

07.04.2022.
Court No. 13
Item No. 61
ap

**W.P.A. No. 20494 of 2021
(Through Video Conference)**

**Ashim Kumar Ghosh & Ors.
Versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay.
...For the petitioners.

Ms. Sudipa Ray,
Ms. Susmita Biswas Chowdhury.
..For the State.

Affidavit-of-service filed in Court today be taken
on record.

The writ petitioner is aggrieved by the alleged
inaction of Manikchak Police Station.

It appears that a complaint was lodged on 19th
June, 2021, against the private respondents, for
interference with the possession of land belonging to
the petitioners' and removed of soil therefrom, to try
and prepare a brick kiln.

It is complained that the private respondents
have threatened the petitioners with harm.

Counsel for the State has produced report in the
form of instructions of Manikchak Police Station,
dated 23rd March, 2022, addressed to the learned
Government Pleader, High Court, Calcutta. The same
is taken on record.

It appears from the said instructions that the
petitioners' complaint was enquired into by the
Manikchak Police Station. Non-FIR prosecution being

No. 2834 dated 22nd June, 2021 under Section 107 of the Code of Criminal Procedure, 1973 has been registered.

Appropriate communication has been sent to the Superintendent of Police, Malda to the Commandant of the CRPF being the Superior Officer of the petitioners.

This Court is of the view that the dispute between the petitioners and the private respondents is purely civil in nature. However, since the petitioners have expressed threat to their own lives and to that of their family members, Manikchak Police Station shall keep a strict vigil thereat, and immediately upon receipt of a complaint from the petitioners, ensure that the same is promptly investigated.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)