

S/L 42
8.6. 2022
Court. No. 19
sn

WPA 20504 of 2021

Gobinda Pramanik & Anr.
Vs.
The State of West Bengal & Ors.

Mr. R.N. Datta
Mr. Monoranjan Jana
Ms. Mitali Majhi

... for the Petitioners

Mr. Arijit Sarkar

..for the respondent nos.7-9

Ms. Chaitali Bhattacharyya
Ms. Sanjukta Samanta

... for the State.

The petitioners have prayed for police picket. Specific direction upon the Inspector-in-Charge, Raidighi Police Station for granting police assistance in terms of the order of the learned Executive Magistrate, has been sought.

The writ court is not the executing court and the petitioners' prayer seeking implementation of the order of the learned Magistrate is denied.

Mr. Sarkar, learned advocate for the respondent nos.7 to 9 submits that the petitioners and the respondent nos.7 to 9, have been peacefully cultivating their respective lands and the respondent nos. 7 to 9 did not disturb the petitioners in any way.

The police report reflects that the dispute is over plots of land being Dag Nos. 3330/3332/3355/3550/3552 pertaining to Khatian

no. 735/3511, J.L. No. 110, Mouza Dighiparh under Raidighi Police Station. Demarcation and possession of the lands are the subject matters of the dispute. It further appears from the report that prosecution vide Raidighi Police Station NCR no. 438 of 2021 dated August 20, 2021 has been submitted against the petitioners and the respondent nos. 7 to 9 with a direction upon them to maintain peace and tranquillity in the area in question. The police authorities have stated that on an earlier occasion similar prayer of the petitioner was rejected by the High Court.

Under such circumstances, this writ petition is disposed of with a direction upon the police authorities to keep vigil over the disputed property in question.

The parties should maintain peace and tranquillity.

The question of demarcation of land, title and possession etc. are not decided.

The police report is taken on record.

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.)