

23.03.2023
Item No.21
Court No.13.
AB

WPA No. 755 of 2023

**Sabila Bibi
Vs
The State of West Bengal & Others**

Mr. Rafikul Islam Sardar ...for the Petitioner.

Mr. Santanu Kr. Mitra,
Mr. Subhabrata Dasfor the State.

Mr. Sobhan Majumdar,
Ms. Kalpita Paulfor the Respondent No.6.

The petitioner complains that a passage on her land has been dug up by the private respondents with the help of heavy machinery. It is submitted that the private respondents cut all trees in the said passage. Reliance is placed on a report of the BDO confirming the aforesaid incident.

The private respondent no.6 is represented and submits that he has only demarcated his own land. He further submits that a three-man committee headed by the BDO has submitted a report in the matter wherein it was allegedly found that there was no road at all.

This Court is of the view that the dispute between the petitioner and the private respondent with regard to their mutual extent of land is primarily a civil dispute and appropriate civil proceedings may be taken out.

On the complaint of the petitioner against the private respondent, Nandigram Police Station has registered first information report on May 26, 2022 and has filed charge sheet no.533 of 2022 dated 23.6.22 under Sections 447/341/323/506/34 IPC.

On a further complaint dated December 24, 2022, another first information report no.1683 of 2022 dated 24.12.2022 has been registered, investigated and charge sheet no.1687 dated 29.12.2022 under Sections 341/323/325/354/506/34 IPC has been filed.

Nandigram Police Station will, however, ensure that there should not be any breach of peace in the area. They should keep a strict vigil thereat.

WPA No.755 of 2023 stands, accordingly, disposed of.

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.)