

17.04.2023
Court No.13
Item No.291
AP

WPA 917 of 2022

**Sanjib Das Mahapatra
Vs.
The State of West Bengal and Ors.**

Mr. Abhijit Sarkar

... For the Petitioner.

Mr. Tanmoy Mukherjee

Mr. Souvik Das

Mr. K.R. Ahmed

Mr. Rudranil Das

... For the Respondent Nos.4 to 12.

1. The petitioner claims that the private respondents are trying to obstruct him from cultivating his land.
2. Admittedly, the petitioner obtained a decree against the State, declaring that the order of vesting of the land in the State under the West Bengal Estate Acquisition Act is null and void.
3. The private respondents claim that they are in possession of the land under valid Pattas issued by the authorities under the West Bengal Land Reforms Act, 1955.
4. The petitioner has approached the WBLRTT for rectification of records but does not appear to have challenged the Pattas issued in 2018.
5. The private respondents claim to be in possession of the land in question. The records of rights also contain the names of the private respondents as Patta holders.
6. In the above circumstances, this Court is of the view that neither the police nor the writ court can

interfere in the matter as long as the Pattas in favour of the private respondents are subsisting in law.

7. The petitioner may seek appropriate civil or statutory remedies in this regard.
8. Nayagram Police shall, however, ensure that there is absolutely no breach of peace in the area.
9. With the aforesaid directions, the writ petition shall stand disposed of.
10. There shall be no order as to costs.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)