

15.05.2023.
Court No.13
Item No. 25
ap

W.P.A. No. 1656 of 2023
Sri Debdas Das Adhikary
Versus
The State of West Bengal & Ors.

Mr. Binoy Kumar Das.

...For the petitioner.

Mr. Ashim Kumar Ganguly,

Mr. Joydip Banerjee.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved that notwithstanding the order of the Block Land & Land Reforms Officer, Sabang and the Sub-Divisional Officer, Kharagpur under the provisions of the West Bengal Land Reforms Act, 1955 and a specific order dated 21st December, 2021 passed by Sub-Divisional Officer, Kharagpur on Sabang Police Station, the police have not ensured appropriate protection to the petitioner.
3. It appears from the report of the police that the private respondents have filed a suit being Title Suit No. 18 of 2022 before the learned Civil Judge (Junior Division) 2nd Court, Paschim Medinipur in respect of the land in question. It further appears therefrom that there is also an appeal to the West Bengal Land Reforms and Tenancy Tribunal being O.A. No. 2686 of 2022 (LRTT).

4. Admittedly, the civil suit is barred under the provisions of Section 21 of the West Bengal Land Reforms Act, 1955.

5. It also appears that interim relief has been refused by the Court below.

6. Subject to the result of O.A. No. 2686 of 2022 (LRTT) pending before West Bengal Land Reforms and Tenancy Tribunal, this Court directs the Sabang Police Station to accord appropriate protection to the petitioner to enable him to cultivate his land.

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

8. There will be no order as to costs.

9. 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.)