

18.05.2023.
Court No.13
Item No. 33
ap

W.P.A. No. 2356 of 2023
Hafizur Mondal
Versus
The State of West Bengal & Ors.

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman.

...For the petitioner.

Sk. Md. Galib,
Mr. Gourav Das.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner complains that the private respondents are obstructing him while he is trying to cultivate on his land. There was a brickfield existing on the land, under lease from the writ petitioner.
3. The private respondents are stated to have entered into a fresh agreement with the petitioner for running a brickfield.
4. These allegations are denied by the petitioner.
5. Be that as it may, the private respondents are not represented and the facts set out hereinabove are those narrated by the police.
6. This Court is of the view that the dispute between the petitioner and the private respondents is civil in nature. The police have no role to play in the instant case. The police have taken out proceedings under Section 107 of the Code of Criminal Procedure.

7. The Inspector-in-charge, Hasnabad Police Station shall, however, ensure that there is no breach of peace in the area.

8. The report of the police dated 8th April, 2023 filed in Court today be also taken on record.

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

10. There will be no order as to costs.

11. 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.)