

18.05.2023.
Court No.13
Item No. 35
ap

W.P.A. No. 2374 of 2023
Anuradha Mitra & Anr.
Versus
The State of West Bengal & Ors.

Mr. Subhendu Banerjee,
Mr. Arabinda Das.

...For the petitioners.

Ms. Chaitali Bhattacharya,
Mr. Subhendu Roy Choudhury.

...For the State.

Mr. Malay Bhattacharyya,
Mr. Subhrajyoti Ghosh.

...For the respondent nos.5 to 10.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioners claim that the private respondents have occupied a portion of his property and have sought to set up an office of a political party thereat.
3. Counsel for the private respondents denies the allegations made against them and submits that they used to conduct an Annual Durga Puja on the said property with permission from the petitioners' father and predecessors for the last fifteen years. Only puja material has been stored in the land in question.
4. It is difficult for this Court to accept that the Durga Puja facility material is being stored by the private respondents in the petitioners' property from the beginning of the year.
5. The Inspector-in-charge, Joynagar Police Station shall ensure that the private respondents do not in

any way come near the property of the petitioners. The private respondents shall vacate the said property and remove all their articles therefrom forthwith.

6. The petitioners shall be entitled to construct a boundary wall around their premises and restrict any access to the same to any third party.

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

8. Strict compliance of the aforesaid order has been expected from the Joynagar Police Station.

9. The report of the Inspector-in-charge, Joynagar Police Station dated 16th May, 2023 in the form of instructions addressed to the State Advocate be taken on record.

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

11. There will be no order as to costs.

12. 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.)