

13.03.2023.
Court No.13
Item No. 20
ap

W.P.A. No. 2583 of 2023

**Sri Jagannath Kayal
Versus
The State of West Bengal & Ors.**

Mr. Ranojoy Chatterjee,
Ms. Promila Halder.

...For the petitioner.

Mr. Pantu Deb Roy,
Ms. Sujata Ghosh.

...For the State.

Mr. Lakshminath Bhattacharya.

...For the private respondent nos.5 & 6.

The petitioner claims to be a Bargadar in respect of a piece of land. The owners of the land are threatening and intimidating him.

The private respondents are represented. It is submitted that the petitioner is not a Bargadar in respect of the property in question.

The Inspector-in-charge, Kultali Police Station, Baruipur Police District has filed a report dated 13th March, 2023, which is kept with the record. The police also submit that the petitioners are not the Bargadar in respect of plots of land.

This Court is of the view that as to whether the petitioner is Bargadar or not, cannot be decided either by the police or the Writ Court.

The petitioner may approach the appropriate civil or statutory forum for establishing his rights.

The Inspector-in-charge, Kultali Police Station, Baruipur Police District shall, however, ensure that

there shall be absolutely no breach of peace in the area.

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

There will be no order as to costs.

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.)