

21.03.2023
Court No.13
Item No.17
AP

WPA 3584 of 2023

**Abdur Rashid
Vs.
The State of West Bengal and Ors.**

Mr. P.S. Bhattacharya
Mr. Kazi Sajjad Alam

... For the petitioner.

Mr. Santanu Kumar Mitra
Ms. Jyotsna Roy

... For the State.

Mr. Md. Sabir Ahmed
Mr. Md. Abdur Rakib

... For the Respondent Nos.6, 7 & 8.

The petitioner claims that the private respondents have forcibly dispossessed him from his land. The petitioner was staying on the said land with his family.

The private respondents are represented. They claim to be co-sharers of the land in question.

The Inspector-in-Charge, Suri Police, Station has filed a report dated 20th March, 2023 and the same is taken on record.

It appears that the Suri Police, after receiving the petitioner's complaint, have taken out proceedings under Sections 107, 116(3) of the CrPC. Both sides have taken out proceedings under Section 144 of the CrPC against each other.

In the backdrop of the facts as indicated hereinabove, this Court is of the view that the disputes between the petitioner and the private respondents are purely civil in nature. Appropriate civil proceedings may

be taken out by the parties to establish rights and thereafter seek demarcation of the property in question.

The Suri Police shall, however, ensure that there is absolutely no breach of peace in the area.

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

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)