

27.04.2023.
Court No.13
Item No. 21
ap

W.P.A. No. 7660 of 2023

**Bappa Ali Sarkar
Versus
The State of West Bengal & Ors.**

Mr. Partha Chakraborty,
Ms. Paulomi Dutta.

...For the petitioner.

Mrs. Chama Mookherjee,
Mrs. Sujata Ghosh.

...For the State.

Mr. Kaushik Choudhury,
Mr. Sabyasachi Hazra,
Ms. Busera Khatun.

...For the respondent nos.4 to 6.

1. Affidavit-of-service filed in Court today be kept with the record.
2. The petitioner complains of inaction on the part of Tapan Police Station.
3. A report has been filed by the Inspector-in-charge, Tapan Police Station dated 2nd April, 2023 in the form of instructions addressed to the State Advocate, which is taken on record.
4. It appears therefrom that in respect of a complaint, FIR No. 84 of 2023 dated 14th February, 2023 has been registered and investigation is on. It further appears therefrom that in respect of another complaint dated 14th January, 2023, charge-sheet being C.S. No. 100 of 2023 dated 28th February, 2023 has been filed under Sections 143/506 of the Indian Penal Code.
5. The private respondents have also filed a complaint against the petitioner that has been registered as FIR

and investigation has been completed and charge-sheet No.132 of 2023 dated 31st March, 2023 has been filed under the provisions of the Indian Penal Code and the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

6. This Court does not find any inaction on the part of Tapan Police Station. In so far as the grievance of the petitioner on the pond in question is concerned, over which he claims right, Mrs. Mookherjee, Counsel for the State submits that the same has since vested in the Government as per the report of the Block Land & Land Reforms Officer, Tapan.

7. The petitioner may take appropriate steps in accordance with law with regard to the civil rights against the State and the private respondents.

8. Tapan Police Station shall, however, ensure that there is no breach of peace in the area.

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.)