

01.03.2023
Court No.13
Item No.13
AP

WPA 8673 of 2022

**Tandra Roy and Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Satya Ranjan Kundu

... For the Petitioners.

Inspector-in-Charge, Taldangra Police Station, Bankura has filed a report dated 21st February, 2023 and the same is taken on record. A copy of the same may be handed over to the learned counsel for the petitioners.

It appears from the report that the petitioners had moved WP 9293(W) of 2015 on the same subject matter against the private respondents. The writ petition was disposed of by an order dated 15th September, 2017 directing the petitioner to establish rights before a civil Court.

A second writ petition being WP 18938 (W) of 2019 was moved and the same was disposed of by an order dated 14th November, 2019 directing the petitioner to approach the authorities under the West Bengal Land Reforms Act, 1955 for remedies against the Bargadars.

The police also report that the petitioner No.1 ordinarily stays in Kolkata and the petitioner No.2 stays in Chandannagar in the house of Mrs. Kosturi Roy, her niece. Petitioners freely visited the village house at Harnasra and stay there for two or three days.

There are disputes with regard to collection of their shares of the crops from the Bargadars. It is submitted that Bargadars were ready to pay the petitioners' share upon issuance of proper receipts, which the petitioners apparently did not do.

This Court is of the view that the petitioners are guilty of gross abuse of process of law and misstatement of facts. The petitioner shall pay costs assessed at Rs.11,000/- to the Taldangra Police Station within a period of ten days from date. In default of payment of the said sums, Taldangra Police shall be entitled to recover the same either from the Bargadars of the petitioners or under the provisions of the Bengal Public Demands Recovery Act, 1913.

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

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

(Rajasekhar Mantha, J.)