

22.09.2023

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W.P.A. 9348 of 2016

Bholanath Basak

Vs.

State of West Bengal & ors.

Mr. Supratim Dhar

Mr. Kunal Ganguly

Mr. Tirupati Mukherjee

... for the petitioner

Mr. Suman Sengupta

Mr. Sanatan Panja

... for the State

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction of the police authorities to start investigation and register F.I.R. on the basis of the complaint made by the petitioner against the private respondents.

Report has been filed by the State authorities that indicates that F.I.R. has been filed, investigation has been started and charge-sheet has also been submitted before the court concerned. The trial as of now is pending.

It is to be further noted that rectification in the *parcha* (record of rights) has also been carried out by the respective authorities.

In light of the same, nothing remains in this writ petition and the same is disposed of accordingly.

However, it is to be noted that the petitioner was ousted from his land because of the alleged illegal activity of the private respondents. The petitioner is at liberty to seek assistance of police for appropriate relief with regard to repossession of the land in question.

In fact, the police in his report has specifically stated that they are willing to assist the petitioner in taking of the possession. The police should act in accordance with law.

All parties are to act on the basis of *website* copy of this order.

(Shekhar B. Saraf, J.)