

01.06.2023
sayandeep
Sl. No. 05
Ct. No. 07

WPA 12866 of 2023

Sri Binay Sadhukhan & Ors.
-Versus-
The State of West Bengal & Ors.

Mr. Sanjib Bandyopadhyay
..... for the petitioners

Mr. Md. Hasanuzzaman
.....for the State

The petitioners claimed to be the owner of the piece and parcel of a land alleged that the private respondent Nos. 5,6 and 7 are carrying on the unauthorized construction on the land of the petitioner by encroaching the same. The petitioner lodged complaint before the jurisdictional police station.

Pursuant to the direction made by co-ordinate Bench on May 29, 2023 a report dated June 01, 2023 was prepared under the seal and signature of Suvojit Majumder, Officer-in-Charge, Domjur P.S., Howrah City Police. From the said report it appears that the local police authority had already initiated a police case being 312 of 2023 dated May 17, 2023. The petitioner had also obtained an order dated May 08, 2023 from the jurisdictional criminal Court under Section 144 (2) of the Criminal Procedure Code, 1973 at page-21 to the writ petition. Considering the above

and considering the materials on record, the local police authority is directed to come to a logical conclusion of the trial as expeditiously as possible and to expedite the said P.S. case No. 312 of 2023 in accordance with law preferably within a period of eight months from date since the allegation of illegal construction on the land of the petitioner is involved. The copy of the police report is taken on record.

The local police authority is directed to maintain peace and tranquility at the locale so that the petitioner is not harassed in any manner.

It is made clear that this Court has not gone into the merits of the claim of the petitioner in any manner and the petitioner shall be at liberty to avail of appropriate civil remedy in accordance with the law, if so advised.

With the above observations, this writ petition being WPA 12866 of 2023 stands disposed of without any order as to costs.

(Aniruddha Roy, J.)