

Pradip Kumar Halder
-vs-
State of West Bengal & ors.

Mr. Bhagbat Chowdhuri
Mr. Sk. Nizamuddin
Ms. Barnali Gupta
....for the petitioner
Ms. Chaitali Bhattacharya
Ms. Sangeeta Roy
...for the State

This is an application praying for a direction upon the respondent authorities, especially the respondent nos. 3 and 4 to cause an investigation and take necessary steps in accordance with law as per the written complaint of the petitioner dated 02.06.2023.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The father of the petitioner purchased the property in question. Subsequently, the petitioner and his brother got their names mutated in the records. The private respondents are rank outsiders who claimed to be the descendents of the erstwhile owner of the property. They

are disturbing the petitioner and preventing him from cultivating his land. A complaint was lodged with the police station, but no effective action has been taken.

Learned counsel for the State relies on the report and submits as follows. On the complaint lodged by the petitioner, an FIR has already been registered and the same is being investigated. So far as ownership of the disputed land is concerned, it would appear from the report of the BL & LRO that the owner of the land in question was a third party, neither the petitioner nor the private respondents.

I have heard the submissions of the learned counsels for the parties and have perused the writ petition and the report filed by the State.

So far as the question of ownership and possession of the property in question, it is purely a dispute of civil nature. Either of the parties would be entitled to take appropriate steps in this regard.

However, on the prime grievance that no action was taken on the complaint lodged by the petitioner, it appears that police has already registered an FIR and is investigating the case. Such grievance has already been redressed. This Court does not find a need to pass any further order in this matter.

However, the respondent authorities shall keep a close vigil at the locale and ensure that no breach of peace take place.

With these observations, the writ petition is disposed

of.

Since affidavits were not called for, allegations are deemed not to have been admitted..

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)