

M/L 546
04.12.2023
Court No.14
SD

WPA 16112 of 2023

Sri Uday Das & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Sandip Das

...for the Petitioners.

Mr. Suman Sengupta

Mr. Dip Jyoti Chakraborty

...for the State.

Report filed on behalf of the State is taken on record.
Let a copy of the same may be handed over to the learned
counsel appearing on behalf of the petitioners.

As would appear from the affidavit of service, notice
could be served upon the private respondents who are not
representing.

Learned counsel appearing on behalf of the petitioners
submits as follows. The petitioner is the owner of the land in
question where he is cultivating paddy. The private
respondents have been disturbing the peaceful possession
and enjoyment of such property by the petitioners. The
petitioners were constrained to move the civil court. The
civil court granted decree in favour of the petitioners
restraining the defendants from dispossessing the petitioners
from the said property. In spite of this, the private
respondents continue to violate the order and prevent the
petitioners for cultivating such paddy.

Learned counsel appearing on behalf of the State
relies on the report and submits as follows. On the

complaint of the petitioners a specific FIR was registered. A charge sheet has been submitted in the same. A proceeding has also been initiated under Section 107 of the Code of Criminal Procedure.

It appears that the petitioners are already armed with a decree of civil court restraining the defendants from dispossessing them.

In view of such order, if the private respondents venture to disturb the petitioners while they try to cultivate the land or enjoy it in any other manner, they shall be at liberty to approach the police for necessary help.

With these observations, WPA 16112 of 2023 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)