

05 16.11.2023  
NB Ct. 14

**WPA 16282 of 2023**

Goutam Das & Ors.  
Vs.  
The State of West Bengal & Ors.

Mr. Samiran Mandal,  
Mr. Mrinal Kanti Sardar,  
Mr. Nitish Samanta.  
...for the petitioners.

Md. Mansoor Alam,  
Mr. Nilay Baran Mandal.  
...for the State.

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

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners had taken lease of the property from the big raiyat and is doing pisciculture in the water body in question. A dispute in this regard has led to the filing of an SLP before the Hon'ble Apex Court. The same is still pending. In the meantime, the police authorities are unnecessarily harassing the petitioners and restraining them from conducting their business.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The allegations made in the writ petition are denied. The respondent authorities are not at all interfering with any activity of the petitioners as regards the property in question. In fact, on a complaint made by the petitioners about stealing of fish, a specific FIR being Khatra

PS Case No.30 of 2022 dated 12.06.2022 under Section 379 of the Penal Code was started. However, a final report dated 31.08.2022 was submitted on the same.

There is no material to show that the respondent authorities are disturbing the petitioners in doing their business.

On the contrary, the police authorities seemed to have acted on a complaint filed by the petitioners by registering an FIR although the same finally led to submission of an FRT.

Therefore, no further order need be passed in this regard.

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

With these observations, the writ petition is disposed of.

Urgent certified copy of this order may be given to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**