

18.05.2023
Court No.13
Item No.18
AP

WPA 18559 of 2022

**Sri Santanu Nanda
Vs.
State of West Bengal and Ors.**

Mr. Arindam Paul
Ms. Parna Mukherjee
Ms. Ankita Sikdar

... For the Petitioner.

Mr. Susovan Sengupta
Mr. Subir Pal

... For the State.

1. Notice of upgradation does not appear to have been given to the private respondents.
2. The petitioner complains that the Gangasagar Police have not taken any steps in respect of the complaint lodged against the private respondents for disturbing cultivation on his land.
3. Counsel for the State submits that Gangasagar Police have not received any formal complaint from the writ petitioner in this regard.
4. This Court is of the view that the dispute is purely civil in nature.
5. Be that as it may, if any cognizable offence is disclosed in the petitioner's complaint yet the Gangasagar Police does not take any steps, the petitioner has an alternate remedy under section 156(3) of the CrPC. The petitioner may also take out appropriate civil or statutory proceedings in respect of his rights in connection with the land in question.

6. With the aforesaid observations, the writ petition shall stand disposed of.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)