

09.06.2023
Court No.13
Item No.326
pk

WPA 19867 of 2022

**Sri Bharat Chandra Haldar
Vs.
State of West Bengal and Ors.**

Mr. Animesh Paul,
Ms. Haardikaa Rajdev

... for the petitioner.

Ms. Sipra Mazumdar,
Ms. Sonal Sinha

... for the State.

1. The petitioner complains that the private respondents are disturbing and attacking him against peaceful enjoyment of a land on which he was engaged for cultivation. There is a long standing civil dispute between the parties.
2. The petitioner has obtained a decree on 15.02.2022 in T. S. No. 181 of 2013 for declaration. Admittedly, there is prima facie case in favour of the petitioner's title of the property.
3. Hasnabad Police Station has registered FIR in the year 2014 which has resulted in Charge Sheet No. 586 of 2014 dated 25.10.2014. Subsequent complaints of the petitioner have resulted in four several proceedings under Section 107 of the Cr. P. C.
4. There is clear evidence before this Court of misconduct by the private respondents.
5. In the event of any further complaint by the petitioner, Hasnabad Police Station shall register FIR and conduct further investigation.

6. Hasnabad Police Station shall post a picket comprising of one constable for a period of one month initially at the costs of the petitioner. Deployment shall be made upon payment of costs that shall be communicated to the petitioner forthwith.
7. In the event of any further complaint against the private respondents, it is expected that coercive measures are taken by the Hasnabad Police Station against them.
8. Police shall, however, ensure that there is no breach of peace in the area.
9. Report of the Police is taken on record.
10. The writ petition is disposed of.
11. There will be no order as to costs.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)