

WPA 19665 of 2023

Purbeswar Pal

-vs-

State of West Bengal & ors.

Mr. Ayan Kr. Boral

Mr. Anisur Rahman

....for the petitioner

Ms. Jhuma Chakraborty

Mr. Parikshit Goswami

...for the State

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 for the petitioner submits that the petitioner's predecessor in interest was the owner of the property in question. After his demise, the petitioner went to the concerned BL & LRO to have the name mutated. When the petitioner went to the property, the private respondents started threatening and intimidating that the petitioner should not record in his name in respect of such land.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. It is purely dispute of civil nature. However, in response to a complaint lodged by

the petitioner, a proceeding has already been initiated under Section 107 of the Code of Criminal Procedure.

It appears that the petitioner wants to mutate his name in the land records after the owner of the property, his predecessor in interest passed away.

No one can prevent the petitioner from making such an application. If any other relief is sought by any of the parties, then he has to do so before a Civil Court.

It further appears that police have already taken steps on the complaint of the petitioner by initiating a proceeding under Section 107 of the Code.

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

However, the police 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 Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)