

19.9.2023
256
Ct. no. 14
sb

WPA 19952 of 2023

Tapas Pal
Vs.
The State of West Bengal & Ors.

Ms. Ayan Kr. Boral
Mr. Sabyasachi Bhattacharya ...for the Petitioner

Mr. Jayanta Samanta
Ms. Nilanjana Adhya
Mr. Rajdeep Adhikari ...for the State

Supplementary affidavit filed by the petitioner is taken on record. Let a copy of the same be supplied to the learned counsel for the State.

Report filed on behalf of the State is also taken on record. Let a copy of the same be supplied to the learned counsel for the petitioner.

Learned counsel for the petitioner submits as follows. The petitioner is the owner of the land in question. For sometime, the private respondents had been disturbing the peaceful possession of the petitioner in respect of such land. They had been threatening and intimidating the petitioner and cutting trees from the petitioner's land. Although the matter was reported to the local police station, no steps were taken. Reliance is also placed on an order of injunction granted in favour of the petitioner by the learned Civil Judge, Junior Division, 1st Court,

Krishnanagar on 19.1.2022 in T.S. case no. 37 of 2022, thereby restraining the defendants from disturbing the peaceful possession of the petitioner over the suit property.

Learned counsel for the State relies the report and submits as follows. Upon the complaint of the petitioner a First information Report being Dhubulia Police Station case no. 416 dated 18.8.2023 was started under Section 379 of the Indian Penal Code. The accused were arrested and three logs were seized. The police are keeping a close watch in the locality.

It appears that an interim order of injunction was granted in favour of the petitioner restraining the defendant therein from disturbing the peaceful possession of the petitioner over such property.

It further appears that the police have acted on a complaint made by the petitioner, have registered a First Information Report and seized the stolen articles.

Therefore, no further order need be passed in this regard. However, the police shall keep sharp vigil at the locale and ensure that no breach of peace takes place and no order of a civil court is violated.

In the event, any untoward incident occurs or is apprehended by the petitioner, the petitioner shall be at liberty to inform the Officer-in-charge of the

local Police Station about the same who shall thereafter act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)