

19.04.2023
Court No.13
Item No.277
pk

WPA 21011 of 2022

Rabiram Naskar
Vs.
The State of West Bengal and Ors.

Mr. Asit Kumar Bhattacharya,
Ms. Mousmi Biswas

... For the Petitioner.

Ms. Sipra Majumder,
Ms. Sangeeta Roy

... For the State.

1. The writ petitioner claims to be a patta holder in respect of a piece of land that was amicably divided between the petitioner and his brothers.
2. The private respondent nos. 4 and 5 claim to have obtained possession of portions of the land from the other co-sharers along with the petitioner.
3. Admittedly a patta holder can transfer the land to a third party under the WBLR Act.
4. The petitioner may therefore seek appropriate statutory remedies in respect of the transfer of land to the respondent nos. 4 and 5.
5. The Police have no role to play in determining the title in respect of the land.
6. Kultali Police Station has filed instructions dated 19.12.2022 addressed to State advocate. It appears that proceedings under Sections 107/116 of the Cr. P. C. have been drawn up. Police shall ensure that there is no breach of peace in the area.
7. The writ petition is disposed of.
8. There will be no order as to costs.

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

(Rajasekhar Mantha, J.)