

32 25.09.2023
NB Ct. 14

WPA 21190 of 2023

Jagabandhu Ray
Vs.
The State of West Bengal & Ors.

Mr. P. K. Bhattacharyay.
...for the petitioner.

Mr. Somnath Ganguli Id. AGP,
Ms. Priyamvada Singh.
...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 respondent.

Report filed on behalf of the State is also taken on record.

A copy of the same shall be handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question. The private respondent is a rank outsider who is trying to disturb the possession of the petitioner in respect of such property. Police help was sought in this regard, but was denied.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. There is a dispute between the petitioner on one hand and his brother and the respondent no.4 on the other. In this regard, a purported letter was received by the police from an advocate of the petitioner.

The police have acted and initiated a proceeding under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

The petitioner claims to be recorded owner of the land in question. He is allegedly being disturbed by the private respondent.

It further appears that the police have acted on the complaint of the petitioner and initiated a proceeding under Section 107 of the Code.

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

However, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

In the event any untoward incident occurs or is apprehended by the petitioner, he shall be at liberty to call up the Officer-in-Charge of the local police station who shall then act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)