

October 12, 2023
AD 20
Ct. No.14
SG

WPA 21599 of 2023

Prakash Biswas and another
vs
State of West Bengal and others

Mr. Sandipan Maity
... for the petitioners

Mr. Suman Sengupta
Mr. Sanatan Panja
Ms. A. Panja Moulick
... for the State

Mr. Asraf Mondal
Mr. Tushar Sil
... for the respondent Nos.5, 6, 7 & 9

It appears from the affidavit of service that all the private respondents have been served. But, the private respondent No.4 is not represented.

Learned advocate for the petitioners submits as follows. After obtaining a decree from a civil court, the vendors sold the land in question to the petitioners. The petitioners got their names mutated and started enjoying the property. Thereafter, the private respondents started disturbing the peaceful possession of the petitioners. Police help was sought, but was denied.

Learned advocate for the private respondent Nos.5, 6, 7 and 9 submits that only the respondent No.4 is the co-sharer of the property in question. The private respondents have nothing to do with the property and have never given any trouble to the petitioner in this regard.

Learned advocate for the State submits that a dispute exists between the private parties over a piece of land. However, the police are keeping a close watch in the locality.

If any of the private respondents want to establish any right over the said land, the same has to be done by filing a civil suit and not by applying force.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and to see that no order of a civil court is violated.

In the event any such untoward incident occurs or is apprehended by the petitioners, the petitioners shall be at liberty to inform the Officer-in-Charge of the local police station who shall take steps in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copies of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]