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16.10.2023
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Ct 14

WPA 21766 of 2023

Chaporjan Bibi @ Mosammat Chopurjan Bibi @ Sapurajana
Beoya Molla

-vs-
State of West Bengal & ors.

Mr. Sukumar Ghosh
Ms. Moumita Ghosh
...for the petitioner
Mr. Md. Giasuddin Molla
Mr. Soumitra Banerjee
..for the respondents
Mr. Suman Sengupta
Mr. Arindam Mondal
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question. He is also in possession of the same. The private respondents were rank outsiders are disturbing his peaceful possession of the property. The petitioner is, in fact, fearing for his life. Police was approached, but they did not take any steps.

Learned counsel appearing on behalf of the private respondents submits as follows. As would be evident from Paragraph 7 of the writ petition, the petitioner has admitted

that since the petitioner's share in the L.R. record of rights was wrongly recorded in the names of Elem Box Molla and Bahadur Molla, the petitioner has made an application for correction of the L.R. records. Therefore, there is a doubt about the title of the property.

Learned counsel appearing for the State submits as follows. There is a civil dispute pending between the private parties. On the complaint of the petitioner, a proceeding has already been initiated under Section 107 of the Code. However, the police authorities are keeping a close watch on the developments in the locality.

It appears that there is a civil dispute pending between the private parties.

If either of parties wants to seek any further relief in respect of the property in question, the same has to be before a Civil Court.

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

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.)