

WPA 22113 of 2023

Debasis Das Mahapatra @ Debasis Chowdhury
-vs-
State of West Bengal & ors..

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar
...for the petitioner
Ms. Sonal Sinha
Ms. Rupsha Chakraborty
....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.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question which includes a pond in which the petitioner does pisciculture. The private respondents, except the private respondent no.5, are rank outsiders who have no right, title and interest in the property. In spite of that they are disturbing the peaceful possession of the petitioner in respect of such property. In spite of bringing this to the notice of the police authorities, no help has been rendered.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Upon the allegations

made by the petitioner, a proceeding has already been initiated under Section 107 of the Code. The police authorities are keeping a close watch on the developments in the locality.

It does not appear that the private respondents have raised any dispute regarding the petitioner's right to conduct pisciculture in the property in question.

It also appears that the police authorities have taken some steps. On the complaint of the petitioner, a proceeding under Section 107 of the Code has been initiated.

The respondent police authorities shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that 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 Belda Police Station over phone who shall then act in accordance with law.

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.)