

03.05.2023
Court No.13
Item No.339
AP

WPA 22656 of 2022
Anar Ali Gazi
Vs.
The State of West Bengal and Ors.

Ms. Reshmi Khatun
Mr. Swakshar Kumar Mondal

... For the Petitioner.

Mr. Subha Brata Datta
Mr. Bani Brata Datta

... For the State.

Mr. Shyama Prosad Purkait
Ms. Moumita Mondal

... For the Respondent Nos.6 & 7.

1. The petitioner complains of alleged inaction on the part of the Executive Magistrate, Kakdwip. It is submitted that the petitioner is a Bargadar in respect of a plot of land and is giving a share of his crop to his landlord. The private respondents claim to be the owner in the premises. The private respondents, according to the petitioner, are trying to dispossess him.

2. The private respondents are represented and also claim title in respect of the property.

3. Counsel for the State submits that there are proceedings already pending between the parties before the WBLRTT.

4. This Court is of the view that the dispute between the parties is purely civil and/ or statutory in nature. Appropriate remedies either in a civil suit or in proceedings under the West Bengal Land Reforms Act, 1955 may be pursued by the parties.

5. Harwood Point Coastal Police Station, Kakdwip, South 24 Parganas shall, however, ensure that there is absolutely no breach of peace in the area.

6. With the aforesaid directions, the writ petition shall stand disposed of.

7. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)