

November 16, 2023
AD 63
Court No.14
SG

WPA 22299 of 2023

Ranojoy Konai
vs.
The State of West Bengal and others

Mr. Angshuman Chakraborty
Mr. S.S. Saha
... for the petitioner

Mr. Malay Singh
Ms. Neelam Singh
... for the State

Affidavit of service filed in Court is taken on record.

Despite service no one appears for the private respondents.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner inherited a portion of the land and he looks after the other portion of the land through a power-of-attorney given by his sister as a co-sharer. The private respondents are rank outsiders having no right, title or interest in the said property. They had been disturbing the peaceful possession and enjoyment of the property of the petitioner. In fact, they are trying to encroach upon the land.

Learned advocate for the State relies on the report and submits that the neighbours have encroached upon a portion of the land in question. On an application made by the petitioner, an order was passed and a proceeding has been initiated under Section 188 of the Penal Code.

In the event possession of any portion of the land in question is forcibly taken by the illegal encroachers, the petitioner shall be at liberty to initiate appropriate legal proceedings for recovery of the same.

Let the police authorities keep a sharp vigil at the locale and ensure that no breach of peace takes place and see 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 Nalhati police station about the same who shall then act in accordance with law.

With these observations, the writ petition is disposed of.

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

[Jay Sengupta, J.]