

November 17, 2023
AD 38
Court No.14
SG

WPA 22403 of 2023

Sumitra Bhunia
vs.
The State of West Bengal and others

Mr. Amit Baran Dash
Ms. Ankana Sarkar
... for the petitioner

Mr. Moniruzzaman
Mr. Siddhartha Ghosh
... for the State

Mr. Sajal Kumar Ghosh
... for the private respondents

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the owner of the land in question. The petitioner is running a shop beside a State highway. The respondent No.6 had taken a loan from the petitioner. On demand of repay, the private respondents demolished the said shop and looted away the articles. No step was taken by the police despite making a complaint.

Learned advocate for the private respondents submits as follows. The allegations made in the petition are denied. The private respondents are the local villagers who had protested against running of an illicit liquor shop by the petitioner's son at the locale. The police took necessary steps at the behest of the panchayat after complaint was made.

Learned advocate for the State relies on the report and submits that the land in question is a vested one. The petitioner's son was selling country spirit from his shop. A specific case being Bhupatinagar PS Case No.91/22 dated 15.03.2022 under Section 46(A)(c) of the Bengal Excise Act was started. The petitioner's son was arrested in connection with the case. No case of demolition of the shop room or looting of articles had made out upon inquiry.

It appears that the petitioner's son was selling country spirit from the shop in question. On the complaint of the villagers, the panchayat took steps. The police started a case and arrested the petitioner's son.

The petitioner has not been able to make out a case for the relief as sought in the writ petition.

Accordingly, the writ petition is dismissed.

There shall be no order as to costs.

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

[Jay Sengupta, J.]