

WPA 22446 of 2023

Hapan Chandra Mandi
Vs.
The State of West Bengal & Ors.

Mr. Lalratan Mandal
Mr. Dilip Kumar Sadhu
...for the petitioner

Mr. Rajarshi Basu
Mr. S.T. Mina
... for the State

Mr. Sumit Kr. Ray
Mr. Munshi Ashiq Elahi
... for the respondent No..4

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 recorded bargadar at the land in question. In spite of this the private respondent is preventing the petitioner from cultivating the said land. Earlier private respondent had approached this Court with his grievance and by order dated 06.01.1999 passed by this Court in WP 13519(W) of 1998, this Court was pleased to grant him an opportunity to place his case before the concerned BL & LRO. The BL & LRO decided in favour of the petitioner. There was a

direction by the tenancy tribunal passed on 16.06.2002, granting liberty to prefer an appeal against the order of the Revenue Officer. The same was done. This also went against the private respondent. Even after this, the private respondent is disturbing the petitioner from cultivating the said land.

Learned counsel appearing for the private respondent No. 6/landowner submits as follows. The allegations made in the writ petition are denied. It is true that the order of the Collector also went against the private respondent. However, the private respondent no. 6 has never prevented the petitioner from cultivating the land in question.

Learned counsel appearing on behalf of the State relies on the report and submits that the police are keeping sharp vigil at the locale.

It appears that the petitioner is indeed a bargadar in respect of the land in question.

However, the private respondent/land owner denies that he has ever prevented him from cultivating the said land and would not be doing so.

In view of the above, no further order need be passed. However, the police authority shall keep sharp vigil at the locale and ensure that no breach of peace takes place and see to it that no order of any Court is violated.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J)