

46 23.11.2023
NB Ct. 14

WPA 22719 of 2023

Sk. Mustakin
Vs.
The State of West Bengal & Ors.

Mr. Manik Lal Poddar,
Mr. Sanjoy Ghosh,
Mr. S. Mallick.
...for the petitioner.

Ms. Sonal Sinha,.
Mr. Avishek Prasad.
...for the State.

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 owner of the land in question. The private respondents are rank outsiders who are disturbing the possession and enjoyment of such property by the petitioner. The petitioner was constrained to file a civil suit in this regard. An interim injunction was granted restraining the defendants therein from disturbing the petitioner's possession. An order was also passed in favour of the petitioner under Section 144 of the Code of Criminal Procedure. This was brought to the notice of the State. In spite of this, no help was rendered.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The police authorities have already taken steps on the complaint of the petitioner,

inter alia, by instituting a proceeding under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

It appears that an interim order of injunction was granted in favour of the petitioner by a Civil Court in respect of the property in question. The police authorities have also taken some steps by initiating a proceeding under Section 107 of the Code.

Let the respondent police authorities maintain a sharp vigil at the locale, ensure that no breach of peace takes place and no order of a Civil Court is violated.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)