

01.12.2023
Sl. No. 29.
D/L.
Mithun
Ct.No.14.

WPA 23286 of 2023

Arun Kumar Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Aswini Kumar Bera,
Mr. Arijit Bera

..for the petitioner.

Mr. Anirban Roy, Ld.G.P.
Mr. Sk. Md. Galib, Sr. Govt. Adv.
Mr. Tamal Taru Panda

...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 a property in question. When he tried to
convert the property from "Jal" to "Bastu", the private
respondents started to create disturbances. The
petitioner was constrained to file two applications
under Section 144 of the Code and also make
representations before the police authority for seeking
protection. The private respondent failed to produce

any document regarding any right that they might claim in respect of such property.

Learned Counsel on behalf of the State relies on the report and submits as follows. The police have already acted on the representation made by the petitioner. In fact, they had initiated a proceeding under Section 107 of the Code. The police are keeping close watch on the developments in the locality.

If any of the parties wants to establish any further right in respect of property in question, the same has to be done before a competent Civil Court.

However, the police authority shall keep strict vigil at the locale, ensuring that no breach of piece takes place and see to it that no order of Civil Court is violated.

If any untoward incident occurs or is apprehended by the petitioner, the petitioner shall be at liberty to intimate the local police authority who shall then act in accordance with law.

With these observations, the instant writ petition is disposed of.

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

(Jay Sengupta, J.)