

03.01.2023.
Court No.13
Item No. 60
ap

W.P.A. No. 23826 of 2022

**Rasidul Alam & Anr.
Versus
The State of West Bengal & Ors.**

Md. Habibur Rahman.

...For the petitioners.

Mr. Subhabrata Datta,
Mr. Debasish Sarkar.

...For the State.

Affidavit-of-service filed in Court today be taken
on record.

The petitioners alleged that the private
respondents are forcibly occupying their property.

It is submitted that they have broken down the
construction and have looted the goods and articles
within their properties to the extent of Rs.5,00,000/-.

The Officer-in-charge, Raiganj Police Station
dated 14th November, 2022 has produced instructions
addressed to the State Advocate. The same is taken on
record.

It appears from the said report that the
petitioners brought bamboo fencing and beams to
forcibly occupy some portions of a common property.
Three attempts were made by the petitioners between
2nd, 4th and 5th August, 2022 to set up a bamboo fence
with people hired from a third place. On a protest
being made by the local villagers, the petitioners fled
away. The petitioners have been arrested once.

In those circumstances, this Court is unable to believe the story of the petitioners that the private respondents are trying to occupy their properties.

In view of the above, the instant writ petition shall stand dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)