

S/L 26
12.12.2023
Court No.14
SD

WPA 23685 of 2023

Sri Palash Halder
Vs.
The State of West Bengal & Ors.

Mr. Sandipan Pal
Ms. Tithi Chakraborty

...for the Petitioner.

Mr. Suman Sengupta
Mr. Dwaipayan Basu Mallick

...for the State.

Mr. Pankaj Halder
Mr. Bidish Ghosh

...for the Respondent Nos.5-6.

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner was gifted a landed property by his father. The private respondents are the petitioner's uncles. They wanted to cultivate the land as "bhag chashi". It is now learnt from reliable sources that private respondents are trying to sell out the property belonging to the petitioner. The petitioner's life is also at risk. Threats and intimidations are being given by the private respondents. Police were informed, but no effective steps were taken.

Learned counsel appearing on behalf of the private respondents denies the allegations made in the writ petition and submits that it is actually a joint property.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The police can hardly interfere into a family dispute regarding property. However, on the complaint of the petitioner, GD entries have been lodged. The police, however, are keeping close watch on the developments in the locality.

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

However, if a complaint by any of the parties including the petitioner discloses a cognizable offence, the police authority shall act in accordance with law and take necessary steps.

The police authorities shall keep a sharp vigil at the locale, ensure that no breach of peace takes place and see to it that no order of a Civil Court is violated.

With these observations, WPA 23685 of 2023 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)