

WPA 23916 of 2023

Nirmal Sinha
Vs.
State of West Bengal & Ors.

Md. Hafiz Ali
Sk. Saifuddin
Ms. Shantra Sarkar

...for the petitioner

Mr. Suman Sengupta
Mr. R. Basu
Ms. Amrita Panja Mallick

... for the State

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

Despite service no one appears on behalf of the private respondents.

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 the rank outsiders having no right, title or interest in the property. They are local musclemen. They are trying to grab the property of the petitioner and are disturbing and intimidating the petitioner. Although this was brought to the notice of the police authorities, no effective steps have been taken.

Learned counsel appearing on behalf of the State relies on a report and submits as follows. After receiving the complaint of the petitioner, an enquiry was made. It was revealed that the private respondents were indeed trying to dispossess the petitioner from the property. They have been restrained from doing so. A proceeding has also been initiated under Section 107 of the Code against them. The police are keeping close watch on the developments in the locality.

It appears that private respondents had actually tried to disturb the possession of the property by the petitioner. It also appears that the police have taken necessary steps to prevent the same and initiate a case under Section 107 of the Code.

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.

The surveillance shall include frequent visits by police patrols.

In the event, any untoward incident occurs or is apprehended by the petitioner, he shall be at liberty to intimate the local police station, who shall make act in accordance with law.

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)