

27.06.2023
Court No.13
Item No.266
AP

WPA 26587 of 2022

**Alambari Sardar
Vs.
The State of West Bengal & Ors.**

Mr. Mrinal Kanti Ghosh

... For the Petitioner.

Mr. Sk. Md. Galib
Ms. Tanwishree Mukherjee

... For the State.

Mr. Souvik Sarkar

... For the Respondent Nos.4 & 5.

1. The petitioner complains of alleged inaction on the part of the Kultoli Police Station, South 24-Parganas against the private respondents. It is submitted that the private respondents continue to disturb the peaceful cultivation of his land.

2. The private respondents are represented. They submit that the petitioner is their brother. It is also submitted that the petitioner and the private respondents are joint Bargadars of the property of which their father was the original Bargadar.

3. The petitioner complains that his exclusive Bargadarship has been declared by the Revenue Officer. The private respondents are disturbing him in violation of the order of the Revenue Officer.

4. Admittedly, a civil suit filed by the petitioner against the private respondents has been dismissed for default. The parties may, therefore, seek appropriate clarification and enforcement of their rights in respect of the property before an appropriate civil or statutory forum.

5. Kultoli Police shall, however, ensure that there is absolutely no breach of peace in the area.

6. With the aforesaid observations, the writ petition is disposed of.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)