

02.11.2023
Item No.11
Court No.5.
S. De/ b.das

WPA 25772 of 2023

Md. Elias Ali Molla.

Vs.

The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,
Mr. V. Mallick ...for the petitioner.

Mr. Santanu Kr. Mitra,
Mr. Avijit Sarkar, ...for the State.

Affidavit-of-service filed on behalf of the petitioner is taken on record. It does not appear that the private respondents were served with notice.

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 adjoining land owners who had been unnecessarily harassing and intimidating the petitioner.

Learned advocate appearing on behalf of the State relies on the report and submits that on a complaint of the petitioner, a proceeding has already been initiated under Section 107 of the Code of Criminal Procedure.

If the petitioner or any of the parties concerned seek any further relief in respect of the land in

question, the same has to be done before a competent Civil Court.

However, so far as the issue of law and order is concerned, the respondent police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace take place.

No further order need be passed in this regard.

With these observations, the writ petition being WPA 25772 of 2023 is, accordingly, disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Jay Sengupta, J.)