

10 17.11.2023
NB Ct. 14

WPA 25917 of 2023

Ajoy Malik & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Manojit Bhattacharya.
...for the petitioners.

Mr. Santanu Mitra,
Ms. Rupsha Chakraborty,
Mr. Sabyasachi Bhattacharya.
...for the State.

Mr. R. I. Sardar.
...for the private respondent.

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 petitioners are the owners of the land in question. The private respondent is a rank outsider having no right, title and interest of the property. Yet, he is preventing the petitioners from reaping their crops grown on such land.

Learned counsel appearing on behalf of the private respondent submits as follows. The allegations made in the writ petition are denied. In fact, the private respondent is the owner of the land in question. That is why by an order dated 08.05.2023 passed by this Court in *WPA No.25125 of 2022*, the private respondent was held to be entitled to cultivate his land and the police authorities were asked to keep peace. This order was never challenged by the petitioners. The petitioners had

suppressed the fact that a contempt application had to be filed in respect of the writ petition.

Learned counsel appearing on behalf of the State relies on the report and submits that there are criminal cases pending against the present petitioners. The police authorities are keeping a close watch on the developments in the locality.

The petitioners have not been able to make out a case for any relief in the matter.

On the contrary, it appears that by an earlier order, the private respondent was held to be entitled to cultivate his land.

If the petitioners want to seek any further relief in respect of the said land, they shall be at liberty to do so before the competent civil Court.

Therefore, no further order need be passed in this regard.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)