

17-04-2023
ct no. 13
Sl.33
pk

WPA 26876 of 2022

Anup Ari
-Versus-

The State of West Bengal & Ors.

Mr. Saibal Acharyya,
Mr. Pradip Paul,
Ms. Renesa Dey

....for the petitioner

Mr. Subhabrata Datta,
Mr. Banibrata Datta

...for the State

Mr. Gopal Chandra Ghosh,
Mr. Raj Krishna Mondal

...for the private respondents.

1. The writ petitioner complains that the private respondents are encroaching upon his land and are disturbing peaceful possession and cultivation. The private respondents claim that they have purchased the land from the grandfather of the petitioner and are in possession.

2. Since neither the Police nor this Court can determine as to who is in possession or entitled to the property-in-question, the petitioner may approach an appropriate civil or statutory forum in this regard.

3. The Sabang Police Station shall, however, ensure that there is no breach of peace in the area.

4. With the aforesaid observations, the instant writ petition shall stand disposed of.

5. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)