

16.01.2023.
Court No.13
Item No. 9
ap

W.P.A. No. 27142 of 2022

**Md. Mahasin Ali
Versus
The State of West Bengal & Ors.**

Mr. Tarun Das Sarma,
Ms. Piyali Mukherjee.

... For the petitioner.

Mr. T. K. Bhattacharya,
Mr. A. Bhattacharya.

...For the respondent nos.5 & 6.

Affidavit-of-service filed in Court today be taken
on record.

The subject matter of the instant writ petition is
a dispute with regard to certain lands under
Duttapukur Police Station.

The Inspector-in-charge, Duttapukur Police
Station, Barasat Police District has filed a report dated
10th January, 2023 before this Court. The same is
taken on record.

It appears from the report that there are
statutory proceedings under the West Bengal Land
Reforms Act, 1955 that are being contested by the
petitioner and the private respondents. It further
appears from the report that in respect of a complaint
against the petitioner by the private respondents,
investigation was completed and Duttapukur Police
Station Charge-sheet No. 373 of 2021 dated
31.05.2021 has been filed.

The petitioner has lodged a complaint against the private respondents, which has been registered as FIR No. 492 of 2022 dated 19th May, 2022 which is under investigation.

There are civil suits pending between the parties being Title Suit No. 1992 of 2022 before the learned 1st Civil Judge (Junior Division) at Barasat filed by the petitioner.

This Court is of the view that the parties may pursue the civil and statutory proceedings in accordance with law. Duttapukur Police Station shall continue with the investigation into FIR No. 492 of 2022 dated 19th May, 2022 and complete the same in accordance with law.

This Court appreciates the role of the State police in deputing an Officer to furnish instructions in respect of each case filed this Court today.

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

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)