

06.01.2023.
Court No.13
Item No.22
pk

W.P.A. No. 27169 of 2022

**Bivas Chandra Mandal
Versus
State of West Bengal and others**

Mr. Mrinal Kanti Ghosh,
Mr. Nilanjan Adhikari
... for the petitioner.

Sk. Md. Galib,
...For the State.

Mr. Biswajit Konar,
Mr. Arijit Mahinder
... for the respondent nos. 8 and 9.

Supplementary affidavit filed in Court is taken on record. Copy has been served.

The private respondents are represented.

It is submitted that after 14th December, 2022, the private respondents in the presence of the police personnel harvested paddy on the petitioner's land and FIR No. 181 of 2022 dated 23.12.2022 under Sections 447/427/379/188/34 of the IPC has been registered by the Sundarban Coastal Police Station, Baruipur Police District.

The counsel for the private respondents submits that they never challenged the ex parte decree of the year 2012 obtained by the petitioner.

It is further submitted that the land was agreed to be purchased by the private respondents for a total consideration of Rs.45,000/- of which Rs.42,500/- has

been paid. The private respondents also claim to be in continuous possession for more than 40 years.

The petitioner disputes the same.

It is ordered that the investigation into FIR be completed within one month from date. The private respondents make take steps as they may be advised in accordance with law.

The report of the O. C., Sundarban Coastal Police Station is taken on record.

The writ petition is 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.)