

31.01.2023.
Court No.13
Item No. 20
ap

W.P.A. No. 28567 of 2022

**Sukdeb Purkait & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Biswarup Biswas,
Mr. Nirmalendu Bera,
Mr. Gora Chand Samanta.

...For the petitioners.

Mr. Ritoban Sarkar,
Mr. Debanjan Ghosh.

..For the respondent nos.4 to 17.

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

The writ petitioners claim that they are the Bargadars in respect of a particular property for a long period of time. They claimed to have given the landlord's share of harvest over the years. The landlord has filed a suit for declaration of title being Title Suit No. 22 of 2022 in which an injunction has been ordered by the learned Civil Judge (Junior Division) Kakdwip.

The petitioners claim that under the garb of the enforcement of the order of injunction, the private respondents and landlord are trying to grab the petitioners' crops in its entirety and have also attempted to dispossess them.

The petitioners are required to either file a counterclaim in the pending suit or file an independent suit of their own.

The Inspector-in-charge, Dholahat Police Station, Sundarban Police District has filed a report in the form of instructions dated 5th January, 2023 addressed to the State Advocate. The same is taken on record.

Be that as it may, the Inspector-in-charge, Dholahat Police Station, Sundarban Police District shall ensure that there is absolutely no breach of peace in the area.

With the aforesaid directions, 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.)