

D/L 43
18.11.2024
Kausik
ct.no.35

W.P.A. 2545 of 2024

**Jahangir Sheikh
Versus
State of West Bengal & Ors.**

Mr. Tapan K. Bhattacharyya
Mr. Aviroop Bhattacharyya

...for the petitioner.

Mr. Soumyadeep Biswas

...for the respondent no. 4 to 12.

Mr. Amitesh Banerjee, Ld. SSC
Mr. Tarak Karan

...for the state.

Petitioner complains that the private respondents are trying to destroy the crops cultivated by him. Petitioner approached the learned executive magistrate for remedies.

Learned advocate appearing for the private respondents opposes the contention and disputes the contents so far as the possession of the property is concerned.

Be that as it may report submitted by the state reflects that police authorities have already taken steps and drawn up proceeding under section 107 of the Code of Criminal Procedure.

The petitioners have approached the executive magistrate, who is not the authority to decide right, title and interest of the property. Petitioner as such would be at liberty to approach the jurisdictional civil court for appropriate relief.

However, in the meantime in view of the petitioner and the private respondents being at loggerhead it is directed that the police authorities would keep a strict vigil and ensure that no breach of peace or tranquility takes place at the locale in respect of the subject property complained of in the writ petition.

With the aforesaid observations WPA 2545 of 2024 is disposed of.

A copy of the report be handed over to both the learned advocate appearing for the petitioner and the private respondents.

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

(Tirthankar Ghosh, J.)