

26 02.04.2024
NB Ct. 14

WPA 6242 of 2023

Sk. Pintu
Vs.
The State of West Bengal & Ors.

Mr. Amit Kr. Ghosh,
Mr. Anujit Mukherjee.
...for the petitioner.

Mr. Santanu Kr. Mitra, Id. SGA,
Mr. Sudip Sarkar.
...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the landed property in question. The private respondents are rank outsiders who are trying to disturb the peaceful possession and enjoyment of such property by the petitioner. They have been trying to grab the land on some pretext or the other. The police was informed about their illegal activities, but no effective steps were taken.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Enquiry reveals that respondent no.9 also claims to be the owner of a portion of the property. Thus, there is a civil dispute between the private

parties. However, police have already taken action on the complaint made by the petitioner by registering a specific FIR being Bagnan Police Station Case No.108 dated 20.03.2023.

It appears that a civil dispute exists between the private parties.

If any of the parties wants to establish any further right in respect of the property, the same has to be done before a civil Court.

However, if an offence is committed by any of the parties, the police shall be at liberty to take appropriate steps.

In fact, the police have registered an FIR on the complaint of the petitioner.

Therefore, no further order need be passed in this regard.

However, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

Surveillance shall include frequent visits by police patrol.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)