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11.03.2024
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Ct 14

WPA 6864 of 2024

Mithun Paul

-vs-

The State of West Bengal & ors.

Ms. Juin Dutta Chakraborty

Mr. Debasish Kundu

Mr. Bidan Modak

Ms. Madhumita Paul

...for the petitioner

Mr. Tapash Kr. Bhattacharjee

Mr. Aviroop Bhattacharya

...for the respondent no.10

Mr. K. J. Yusuf

Mr. Parikshit Goswami

...for the State

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the land in question. In front of his land, there is a portion which is being illegally occupied by the private respondents. In fact, they have made an illegal construction over the said property. The Sub-Divisional Officer directed eviction of the private respondents. This was affirmed by the District Magistrate. The private respondent no.10 filed a writ petition before this Court, which was also dismissed. In spite of this, the police are not rendering any help for eviction of the private respondents.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. No requisition has been made by any statutory authority for complying with

any purported order of the eviction.

Learned counsel appearing on behalf of the respondent no.10 denies the allegations and submits that it is for the collector to have any such order executed.

It does not appear that any requisition has been made by the concerned authorities to require police help.

Therefore, no case is made out by the petitioner for interference by this Court.

Accordingly, the writ petition is disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)