

06.12.2024
Item No.311
Ct. No.35
dc.

W.P.A. 7588 of 2023

**Ardhendu Sekhar Si
versus
State of West Bengal & Ors.**

Mr. Santosh Kumar Chakrabarti,
Mr. Jayanta Kumar Pain ... For the Petitioner.

Mr. Amal Kumar Sen,
Mr. Jaladhi Das ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in spite of decree being passed in his favour, he is unable to cultivate the land because of the disturbance, obstruction and/or resistance created by the private respondents. The petitioner to that extent submitted his grievance with the Officer-in-Charge, Pingla Police Station, but no action has been taken by the concerned police authorities.

State has submitted a report which reflects that there is a long standing dispute between the petitioner and the private respondents. For that a proceeding under Section 107 of the Code of Criminal Procedure has been drawn up against the private respondents.

As the police authorities have already acknowledged regarding the behaviour of the private respondents, I direct that the petitioner will afresh make a representation regarding the present status of the petitioner as to whether he is able to enter and work on his own land. In case the disturbance still persists, I direct the Officer-in-Charge, Pingla Police Station to act in accordance with law.

I also direct that since the police authorities have already drawn up a proceeding under Section 107 of the Code of Criminal Procedure and submitted the same before the learned Executive Magistrate, the police authorities would impose good behaviour bond and if so required, direct the private respondents to stay outside the jurisdiction of the concerned police station.

With the aforesaid observations, the writ petition being WPA 7588 of 2023 is disposed of.

There shall be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)