

Sl.No.

32 25.11.2024

*Court
No. 35*

G.S.Das

WPA 8310 of 2024

**Mahadeb Oraon
-Vs-
The State of West Bengal & Ors.**

Mr. Ambu Bindu Chakraborty
Ms. Mrinmoyee Roy Chowdhury
..... For the petitioner
Mr. Saibal Acharyya
Mr. Bibekananda Tripathi
... for the State

The petitioner has approached this court being aggrieved by the inaction of the police authorities pursuant to the orders passed by the Executive Magistrate and the Sub-Divisional Officer.

The order of the Sub-Divisional Officer, Chanchal was pursuant to the direction passed by the Executive Magistrate.

The Executive Magistrate hardly have the power in respect of demarcation of the property is concerned. The

Executive Magistrate should be aware that Civil Courts are existing for the purposes of interference in such circumstances that there are disputes relating to demarcation, right, title and interest of properties.

I do not find that the order so passed by the Executive Magistrate under the relevant provisions of law are in consonance and/or adhering to the provisions.

However, having considered that there is a dispute existing, I direct the police authorities to keep strict vigil and ensure that no breach of peace and tranquility takes place as the petitioner and the private respondents are at loggerhead.

With the aforesaid observations, WPA 8310 of 2024 is disposed of.

Report so submitted be kept with

the record. Let a copy of the report be handed over to the learned advocate for the petitioner.

Affidavit of service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)