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11.12.2024

WPA 8875 of 2024

**Palash Mandal & Anr.
Vs.
The State of West Bengal & Ors.**

Ms. Sonali Bhar

... ... for the petitioner

Mr. K.J. Yusuf

Mr. Kazi Sajjad Alam

... ... for the State

Petitioners are aggrieved by the fact that in spite of being owner of the land they are unable to cultivate and/or sow seed in the said land. To that effect, they have made representation before the police authorities, but the police authorities have not responded to the same.

Learned advocate for the State submits that the dispute and difference between the petitioners and the private respondent are absolutely civil in nature and the police authorities have no scope for interference with the same.

Learned advocate for the private respondent No.5 submits that before the learned Civil Judge (Jr. Division), 1st Court, Malda a proceeding under section 8 of the WBLR Act, 1955 is pending wherein the present petitioners are also parties.

Having considered that a proceeding is pending for deciding the rights of the parties to be decided by the

Civil Court in accordance with law, I direct the concerned Civil Court in seisin of the matter would expedite the hearing of the case particularly with regard to the entire reliefs so prayed for.

In view of the petitioners and the private respondent being at loggerhead the police authorities will keep a strict vigil and shall ensure that no breach of peace takes place or any untoward incident occurs because of the inimical relationship existing between the parties

With the aforesaid observations, the writ petition being WPA 8875 of 2024 is disposed of.

There shall be no order as to costs.

Photostat copy of the proceeding pending before the Civil Judge (Jr. Division), 1st Court, Malda filed by the private respondent No.5 be kept with the record.

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.)