

April 16, 2024
AD 17
Ct. No.14
SG

WPA 10301 of 2024

Biswanath Das
vs.
The State of West Bengal and others

Mr. G.K. Das
... for the petitioner.

Mr. Lalit Mohan Mahata
Mr. P.B. Mahata
... for the State.

Affidavit of service filed in Court is taken on record.
It does not appear that the private respondents could be served with notice.

Report filed by the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was granted patta in respect of the said land and is occupying the land for quite sometime. The private respondents who have no right, title or interest in the property, had been disturbing the possession of the petitioner in respect of the property. They have been trying to grab the property and are not allowing the petitioner to enter into such property.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. There is a civil dispute existing between the private parties regarding the land in question. In fact, the petitioner is not only occupying the portion of the land where patta was granted to his father, but is also occupying some

portion of vested land. There is a proceeding pending under Section 144 of the Code.

It appears that a civil dispute exists between the private parties over the land in question. If any of the parties wants to establish any further right in respect of the subject matter or the property, the same has to be done before a civil court.

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

With these observations, the writ petition is disposed of.

Parties shall act on server copy downloaded from the official website of this Court.

[Jay Sengupta, J.]