

May 17, 2024
AD 2
Ct. No.14
SG

WPA 10200 of 2023

Lankeswar Mondal

vs.

The State of West Bengal and others

Mr. Manojit Bhattacharyya
Ms. Sumitra Bhattacharya (Neogi)
... for the petitioner

Mr. Suman Sengupta
Mr. Sanatan Panja
... for the State

Mr. Mukteswar Maity
Ms. Nupur Chowdhury
... for the respdt Nos.6, 7, 8, 10, 11 & 13

Report filed by the State is taken on record.

It appears that the private respondents could be intimated.

Learned counsel for the petitioner submits as follows. The petitioner is the owner of the land in question. The private respondents have been disturbing his possession and are wrongly occupying a portion of the petitioner's land. This was brought to the notice of the police, but no help was rendered. However, an application under Section 145 filed by the petitioner in this regard is still pending.

Learned counsel for the private respondents denies the allegations and submits that the dispute is over proposed construction of a village road by the Panchayat.

Learned counsel for the State relies on the report filed earlier and submits that police have taken steps in

respect of the complaint lodged by the petitioner. A specific FIR was lodged and two persons were arrested. A proceeding under Section 107 of the Code was also initiated.

It appears that a proceeding under Section 145 of the Code was initiated by the petitioner, which is still pending. Learned Executive Magistrate is requested to conclude the proceedings as expeditiously as possible.

It also appears that the police have taken steps on the complaint of the petitioner by registering an FIR. A proceeding has also been initiated under Section 107 of the Code.

Therefore, no further order need be passed in this regard.

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

In the event the petitioner finds any difficulty to access his own property, he shall be at liberty to do the same after intimating the local police authorities.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

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

[Jay Sengupta, J.]

