

Sl.No.

47

12.11.2024

Court

No. 35

G.S.Das

WPA 11345 of 2023

Jyotsna Begum

-Vs-

The State of West Bengal & Ors.

Mr. Mohinoor Rahaman

Ms. Maria Rahaman

Ms. I. Rahaman

... for the Petitioner

Mr. Asish Kumar Guha

Mr. Rajendra Chaturvedi

...for the State-respondent

Mr. Golam Karim Choudhury

... for the private respondent nos.5-8

The petitioner complains that the private respondents are trying to construct a pathway on her land. She further contends that she stays alone and when she protested the same, she was abused and threatened by the private respondents.

Learned advocate for the State has submitted a report and drawn the

attention of the court that the police authorities, at the appropriate stage, have drawn up proceedings under Sections 107 and 116 of the cr.p.c.

Learned advocate for the private respondents opposes the contentions of the petitioner and submits that so far as the land in issue is concerned, the petitioner has no claim over the same.

I have considered the report of the police authorities and the enquiry conducted by them. The report reflects that there a long standing dispute exists over the land in issue.

So far as the right over the aforesaid land is concerned, this court is not empowered to adjudicate as to the ownership of the same. If the petitioner and/or respondents claim their right over the land in issue, they should approach

the jurisdictional civil court.

However, as the petitioner, being a lady, has alleged that she has been threatened and abused, I direct the police authorities to keep a strict vigil so that she is not harassed over the issue and also ensure that no breach of peace and tranquility takes place and/or any untoward incident emanates from the incident as complained of.

With the aforesaid observations, WPA 11345 of 2023 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate for the petitioner and the private respondents.

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.)