

06.12.2024
Item No.342
Ct. No.35
dc.

W.P.A. 12813 of 2023

**Padmasree Sangha & Anr.
versus
The State of West Bengal & Ors.**

Mr. Tapash Kumar Dey,
Mrs. Saswati Ghosh Sinha ... For the Petitioners.

Mr. K. M. Hossain,
Mr. Tapas Kumar Mandal ... For the State.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioners.

The petitioners claim that certain adjoining lands were used as playground of the petitioners/club. However, they are being obstructed presently at the behest of the private respondents who according to the petitioners have purchased the adjacent plot of land.

Learned advocate for the State has submitted a report and drawn the attention of the Court to different paragraphs of the said report contending therein that there are number of proceedings under Sections 144 and 107 of the Code of Criminal Procedure which has been drawn up. Enclosures have also been referred which reflect that BL & LRO, Kharagpur-I in his field enquiry report in connection with Petition Case No. 420/2022 has referred to the said 0.07 acre of land as that has been allowed by the owner for the club to be used.

Be that as it may, *prima facie*, the BL & LRO report is not tallying with the other records placed by the petitioners. Accordingly, the petitioners will apply before the BL & LRO, Kharagpur-I for clarification of the area concerned. If BL & LRO, Kharagpur-I passes any order, in that case if police assistance is required, the police will respect and obey the order of the BL & LRO. It is directed that the BL & LRO, Kharagpur-I will issue notice to all the effected parties before arriving at his conclusion.

With the aforesaid observations, the writ petition being WPA 12813 of 2023 is disposed of.

There shall be no order as to costs.

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.)