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28.06.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 14840 of 2024

**Bimal Singha & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Bapin Baidya,
Ms. Juin Dutta Chakraborty,
Mr. B. Modak.
...For the Petitioners.**

**Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The petitioners claim to be patta holders of certain plots of land over which cultivation is made by the petitioners. Allegation is that the private respondents are disturbing the petitioners at the time of cultivation.

The petitioners obtained order from the Learned Civil Court whereby the private respondents were restrained from disturbing their peaceful possession.

The petitioners submit that despite order of injunction, the private respondents are not complying the same and on the contrary disturbing in the peaceful possession of the petitioners.

Learned advocate appearing on behalf of the private respondents submits that they are the co-

owners of the subject property. The private respondents however, failed to produce any document in support of their ownership of the property.

The claim of ownership is to be ventilated before and adjudicated by the appropriate civil Court. There is already an order of injunction in favour of the petitioners. The private respondents are bound to obey the same.

The police is directed to ensure that the private respondents do not disturb in the peaceful possession of the petitioners and do not create any obstruction at the time of cultivation of the land in question. The police is to ensure that there is no breach of peace at the locale.

Be it recorded that in response to the complaint lodged by the petitioners, FIR was lodged and the same resulted in Maipith Coastal PS CS No. 67/23 dated 23rd September, 2023.

Report filed by the Sub-Inspector of Police dated 14th June, 2024 is taken on record.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)