

23 05.02.2024
NB Ct. 14

WPA 14128 of 2023

Pankaj Adhikary
Vs.
The State of West Bengal & Ors.

Md. Sarwan Jahan,
Ms. Tapati Sarkar,
Mr. Karunamoyee Samanta.
..for the petitioner.

Mr. Wasim Ahmed,
Sk. Md. Masud.
...for the State.

Mr. Sandip Bhagat,
Mr. Anirban Ghosh.
...for the respondent nos.5 to 9.

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had raised objection against illegal constructions and illegal filling up of water bodies in the area. The total area involved is about 1.78 acres. Although, an FIR was lodged, investigation has not been done properly. The private respondents and other local influential persons have been threatening and intimidating the petitioner for raising his voice. He fears for his life and seeks protection.

Learned counsel appearing on behalf of the private respondents denies the allegations made in the writ petition. According to him, it is the petitioner who is indulging in illegal construction. In fact, the petitioner is selling properties by making plots.

Learned counsel appearing on behalf of the State submits that there is no police inaction committed by the authorities. However, the police are keeping a close watch on the developments in the locality.

It appears that there are allegations and counter allegations made by the private parties.

However, the investigating in the FIR registered at the behest of the petitioner being the English Bazar Police Station Case No.737 dated 08.05.2023 shall be concluded expeditiously and in accordance with law.

If the petitioner makes an application seeking police protection before the local police authorities, the same shall also be considered promptly and in accordance with law.

Even otherwise, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. Surveillance shall include frequent visits by police patrol.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)