

January 31, 2024  
AD 16  
Ct. No.14  
SG

WPA 15640 of 2022

*Sri Ram Krishna Prem Bihar represented by  
Swami Nitya Premananda  
vs.  
The State of West Bengal and others*

Mr. Sujit Kumar Rath  
Mr. Anirban Saha  
... for the petitioner.

Mr. Amitesh Banerjee  
Mr. Gourav Das  
... for the State.

Mr. Ayan Bhattacharjee  
... for the respondent No.5.

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the representative of Swami Nitya Premananda organisation of monks doing charitable work. They were gifted the property by the respondent No.5 for bringing up schools and other charitable institutions. Presently, the respondent No.5 with the help of local hooligans are creating disturbances to the pursuits of the petitioner and its associates. They are disturbing the enjoyment and possession of the property by the petitioner and preventing them to construct any building on the premises. The fact was intimated to the police, but no step was taken.

Learned advocate for the respondent No.5 denies the allegations and submits as follows. The respondent No.5 had donated the land on the false representation that the petitioner's organisation was associated with the Ram Krishna Mission. Accordingly, the private respondent has already filed an application for cancellation of the deed of gift. However, the private respondent has not committed any illegal activity at or near the premises in question or at all.

Learned advocate for the State relies on the report and submits as follows. There is a civil dispute pending between the private parties. However, on the complaint of the petitioner, a proceeding has been initiated under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

It appears that a civil dispute is pending between the private parties. The private respondent wants to cancel the deed of gift made in favour of the organisation of the petitioner.

It also appears that the police have taken steps on the complaint of the petitioner by initiating a proceeding 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, ensure that no breach of peace takes place and see to it that no order of a civil court is violated.

With these observations, the writ petition is disposed of.

Urgent certified copies of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**[ Jay Sengupta, J. ]**