

02-07-2024
Item No.18
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.16835 of 2024
Rulamin Laskar

-vs-
The State of West Bengal & Ors.

Ms. Pampa Dey Dhabal
Ms. Sangita Banerjee ...for the petitioner

Mr. Amal Kumar Sen, AGP
Mr. Lal Mohan Basu ...for the State

The petitioner complains that the private respondents have intentionally and deliberately administered poison in the water body to prevent the petitioner to continue with the pisciculture activity over Dag Nos. 3557, 3563, 4144, 4145, 4146 and 4147 which are recorded in his name.

Complaint was filed before the police, and allegation is that the police are not taking any steps to prevent the private respondents from proceeding with their illegal act.

Learned advocate representing the State has denied inaction on the part of the police and submits that immediately on receipt of the complaint from the petitioner, FIR was registered and investigation made. There are similar complaints made against the petitioner from the side of the private respondents. The police investigated all the complaints and some culminated in charge-sheet. The other complaints are still in the process of investigation.

From the report forwarded by the Officer-in-Charge, Bakultala police station signed on July 2, 2024 it appears that there are complaints and counter-complaints made by both the petitioner and the private respondents. Several proceedings have been initiated by the police. Prosecution under sections 107/116(C) CrPC has also been submitted.

The police are directed to continue with the investigation in accordance with law and conclude the same at the earliest.

The police shall ensure that the petitioner is not obstructed by the private respondents from cultivating or conducting pisciculture over his plots of land being Dag Nos. 3557, 3563, 4144, 4145, 4146 and 4147.

The writ petition stands thus disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

