

D/L 121
01.10.2024
Kausik
ct.no.35

W.P.A. 20260 of 2024

**Tapan Das
Versus
State of West Bengal and Ors.**

Mr. Aparajita Mondal

...for the petitioner.

Mr. Gazi Faruque Hossain
Ms. Varsha Roy

...for the private respondent nos. 4 & 5.

Ms. Jhuma Chakraborty, Sr. Govt. Adv
Ms. Arpita Mondal

...for the state.

Affidavit of service so filed on behalf of the
petitioner be kept with the record.

Learned advocate appearing for the state has
submitted a report. Let the same be kept with the
record.

Learned advocate appearing for the private
respondents are present before this court and
submits that the private respondents are co-sharer of
the property.

Petitioner's main grievance is that he, having
inherited the property, is unable to cultivate. Report

of the Officer-in-Charge, Dhaniakhali P.S. reflects that in order to maintain peace and tranquility in the area, appropriate proceedings under section 126/135(3) of BNSS, 2023, has been drawn vide Dhaniakhali P.S. NCR No. 1155/24 dated 03.08.2024.

In view of the police authorities having taken steps, if there are disputes regarding division of the property, the petitioner would approach the appropriate civil court for necessary orders. This court will not interfere into the arena of right of the petitioner to cultivate. Further there should not be any breach of the peace and the police authorities would continue to keep a strict vigil as is reflected from the report so submitted before this court. If further dispute arises, the petitioner and the private respondents would submit their representation which the police authorities will consider in accordance with law.

With the aforesaid observations WPA 20260 of 2024 is disposed of. Pending applications if any are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)