

D/L.84.  
October 4, 2024.  
MNS.

WPA No. 20894 of 2024

Krishna Charita  
Vs.  
The State of West Bengal and others

Mr. Jaydip Kar,  
Mr. Saurav Chatterjee,  
Mr. Prosenjit Nag,  
Mr. Soumya Nag,  
Mr. Aditya Tiwar

... for the petitioner.

Mr. Joydip Banerjee,  
Mr. Prabir Kr. Roy

...for the State.

Reference may be made to the order dated September 23, 2024 whereby the Block Land & Land Reforms Officer, Bolpur and the Superintendent of Police, Birbhum, were directed to file their respective reports.

Pursuant to the said order, the Block Land & Land Reforms Officer, Bolepur and the Superintendent of Police, Birbhum, filed their respective reports on October 3, 2024.

Since on October 3, 2024, an undated report of the Superintendent of Police was filed, the learned Advocate appearing for the State files a report of the Superintendent of Police, District- Birbhum dated October 3, 2024, today, which is taken on record.

Mr. Kar, learned senior counsel representing the petitioner draws the attention of the court to Point No. 5 of the report of the Superintendent of Police, wherein it has been stated that the petitioner's existing internal security set up is to be enhanced. Mr. Kar further refers to the report of the Block Land & Land Reforms Officer, Bolpur, to indicate that there was a *dharna mancha* installed by the Tribal people along with other local residents outside the project site and slogans were being shouted, for which the team of officials from the office of the Block Land & Land Reforms Officer could not demarcate the boundary lines of the five plots in respect of which the learned West Bengal Land Reforms and Tenancy Tribunal passed an order allowing the petitioner to raise construction thereupon.

The learned Advocate appearing for the State submits that there was some law and order problem earlier, but at present the situation is peaceful and under control and, therefore, there is no necessity for posting a permanent police picket at present.

Since it is not in dispute that the petitioner has obtained the Conversion Certificate in respect of plot nos. 176, 177, 178, 179 and 180 within the Mouza – Khanjanpur under Panrui

Police Station, in the District of Birbhum and an order of *status quo* passed by the West Bengal Land Reforms and Tenancy Tribunal is subsisting in respect of the other plots of land, which is claimed to have been purchased by the petitioner, this Court holds that a proper demarcation of the plots wherein the petitioner has been allowed to make construction is to be made.

After going through the report of the Block Land & Land Reforms Officer, Bolepur, it appears that the said authority also observed that it is necessary to demarcate the boundary lines of the aforesaid plots of land and accordingly formed a team of officials to assist the Block Land & Land Reforms Officer to demarcate the boundary lines of the said plots of land. The said report further states that on August 28, 2024, the team of officials along with the Block Land & Land Reforms Officer and the police forces headed towards the project site to demarcate the boundary lines of the said plots of land but could not do so on account of obstruction made by the Tribal people along with the local residents.

The report of the Block Land & Land Reforms Officer further highlights that because of protest and restraints, there is an apprehension of law and order situation.

The Superintendent of Police in his report dated October 3, 2024 has stated that at present the situation remains peaceful and under control, but at the same time also directed the petitioner to boost up the existing security set up. Therefore, it cannot be said that the situation is under control.

The learned Advocate appearing for the State submits that the situation within the project site is under control.

The fact remains that, since the construction work is going on, it is the duty of the local police authorities to ensure that the workers who have been engaged by the petitioner for undertaking the construction work are not in any way obstructed. For the purpose of carrying on the construction work, the construction materials are to be carried to the project site.

Mr. Kar, learned senior counsel representing the petitioner volunteers to pay police costs necessary for temporary police picket for the present. He further submits that the petitioner is also ready and willing to deposit the costs, if any, for posting a permanent police picket.

Since a representation has already been submitted by the petitioner before the Inspector-in-Charge of Panrui Police Station dated July 15,

2024, the competent authority of the police shall assess the police costs which the petitioner may be required to deposit for posting of temporary police picket for the present. In case the authorities are of the view that posting of permanent police picket is necessary, they shall intimate the petitioner accordingly and the petitioner shall be required to pay the police costs as assessed by the competent authority.

The learned Advocate appearing for the State submits that the assessment will be made by the competent authority on or before 5.00 p.m. on October 7, 2024. In the said order of assessment, the time limit to deposit the police costs as well as other formalities to be complied with by the petitioner are also to be stipulated.

In case the petitioner complies with the directions contained in the said order, the police authorities shall take steps in terms of this order for deployment of temporary police picket for the present.

The BL & LRO, Bolpur, is directed to form a team of officials for demarcation of the aforesaid five plots and shall intimate the date of demarcation to the petitioner well in advance.

The Officer-in-Charge of the local police station shall render assistance to the said officials during demarcation of the plots.

With the above observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy, if applied for, be given to the parties.

(Hiranmay Bhattacharyya, J.)