

D/L75
18.11.2024
Bpg.
ct.no.35

W.P.A.23979 of 2024

**Uttam Maji
Versus
The State of West Bengal & Ors.**

Ms. Kakali Chatterjee
Mr. Debasis Chatterjee
Mr. Manabendranath Bandyopadhyay.
...for the petitioner.

Mr. Suman Ghosh
Ms. Munmun Tewary.
...for the State-respondents.

Mr. Simanta Kabir
Mr. Avik Pramanck.
...for the respondent nos.4 to 9.

Affidavit of service filed by the petitioner be
kept with the record.

State has submitted a report which reflects
that the issue canvassed relates to possession for the
purposes of agriculture and cultivation at the river
bed. There is no clear demarcation. Neither any of the
parties are supposed to have their right, title and
interest absolutely over such plot of land.

Petitioner complains that he has been
cultivating a land for the last 19 years but for political
vendetta, he has been made a victim and has been
thrown away and the private respondents have been
allowed to harvest the crops.

Be that as it may, this Court do not intend to enter into the zone. However, the Inspector-in-Charge, Jamalpur Police Station will conduct a local enquiry. To that effect, he will record the statement of the witnesses of the local villagers and see to that regarding the correctness of the contentions whether the petitioner would cultivate the land at the river bed concerned or the respondents and, accordingly, if required, would demarcate the portion with the consent of the local villagers or the adjoining persons who are cultivating in the said river bed which belongs to the Government.

Since there is a dispute in respect of land-in-issue, the Inspector-in-Charge, Jamalpur Police Station would keep a strict vigil and ensure that no breach of peace takes place or any untoward incident stems out in relation to the land-in-dispute.

With the aforesaid observations, WPA 23979 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted by the learned advocate for the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)