

M/L 146
03.12.2024
Court. No. 35
*Suvayan/
Sourav*

WPA 25474 of 2024

**Bapan Mudi & Ors.
Vs.
The State of West Bengal & Ors.**

*Mr. Partha Pratim Roy
Ms. Poulami Chakraborty*

...for the petitioners.

*Mr. Amal Kumar Sen, AGP
Ms. Ashima Das (Sil)*

...for the State.

Affidavit-of-service as filed by the learned Advocate for the petitioners be kept on record.

Petitioners complain that in spite of the earlier order passed in WPA 27049 of 2023 dated 30.04.2024 they are restrained from cultivating their land.

Learned Advocate for the State has submitted a report. However, the report reflects that police authorities have only drawn up a proceeding under Section 126 of the BNSS.

I have considered the earlier order in WPA 27049 of 2023 wherein by an order dated 30.04.2024 the right of the petitioners were recognized and the co-ordinate Bench was pleased to direct the police authorities to keep a sharp vigil and ensure that no breach of peace takes place.

Having considered the same I direct the police authorities to submit a report restricted to the prayer of the petitioners that whether the petitioners are being restrained from cultivating their land. The

Superintendent of Police Baruipur Police District will ensure that the Officer-in-Charge, Maipith Coastal Police Station do not violate the order passed by the co-ordinate Bench in WPA 27049 of 2023. As by the said order the co-ordinate Bench was pleased to give recognition to the petitioners to be in possession and directed for a sharp vigil to be kept at the locale. In case there is any violation of the order and the Inspector-in-Charge of Maipith Coastal Police Station do not take appropriate steps for respecting the earlier order, the Superintendent of Police will take appropriate disciplinary action against the Inspector-in-Charge of Maipith Coastal Police Station.

With the aforementioned observations, the instant writ petition being **WPA 25474 of 2024** is hereby disposed of.

Report be submitted be kept with the record.

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

(Tirthankar Ghosh, J.)