

WPA 26772 of 2024
(Manika Das Vs. State of West
Bengal & Ors.)

Mr. Haradhan Mondal

.... For the petitioner

Mr. Susovan Sengupta
Mr. Tarak Karan

.... For the State

Petitioner submits that the police authorities have restrained both the petitioner and the respondents to cultivate the land. Petitioner claims that he is the owner of the land and approached the civil Court. However, he is presently aggrieved of the fact regarding the excess inflicted by the police authorities.

Learned advocate for the State is present and draws the attention of the Court to the order dated 24th September, 2024 when a coordinate Bench of this Court in similar circumstances was pleased to direct the petitioner to take recourse under Order 39 Rule 2A of the Code of Civil Procedure. As the petitioner, till date, has not approached the appropriate Court of law under Order 39 Rule 2A of the Code of Civil Procedure, I am of the view that there has been no change of circumstances since the order dated 24th September, 2024 has been passed by the coordinate Bench. As such, the present writ petition do not call for interference.

Accordingly, WPA 26772 of 2024 is dismissed.

There shall be no order as to costs.

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

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)