

18.11.2024
Item No.10
Ct. No.35
dc.

W.P.A. 26930 of 2024

**Sarjan Mondal & Ors.
versus
The State of West Bengal & Ors.**

Mr. Soumik Ganguli ... For the Petitioners.

Mr. Suman Ghosh,
Mr. Siddharta Ghosh ... For the State.

Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta ... For the Respondent Nos. 5 to 8.

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

Learned advocate appearing for the
petitioners has drawn the attention of the Court to
the order passed in WPA 24516 of 2023 vide order
dated 09.01.2024 and also to the relevant part of
the order which is set out as follows :

*“It appears that the petitioners have relied on
C.S. records to claim that the property belonged to
their ancestors. It is the case of the State as well as
the private respondents that in the meantime the
property vested in the State as would be evident
from the subsequent L.R. records.*

*If does not appear that the private
respondents have any right in the said property.”*

Learned advocate appearing for the
petitioners further submits that pursuant to such
order having been passed, representation was made
along with the order passed by the learned District
Judge’s Court, Bankura in TA Case No. 126/1948

to the administration including the Superintendent of Police, Bankura.

State has submitted a report which reflects that the police authorities have drawn up proceedings under Section 107 of the Code of Criminal Procedure in the month of November, 2023.

Learned advocate appearing for the private respondents submits that already there has been an observation and it is specific contention of the State also that the property in issue complained of has been vested to the State.

Facts of the case reflect that in a water body where there was an issue relating to pisciculture between the petitioners and the private respondents, the State has already taken a stand.

So far as the issue relating to right, title and interest is concerned, the same would be considered by the jurisdictional civil court.

So far as the issue relating to any untoward situation arising because of the petitioners and the private respondents being at loggerhead is concerned, I direct the police authorities to keep a strict vigil and to ensure that no breach of peace or tranquility takes place at the complained locality.

With the aforesaid observations, the writ petition being WPA 26930 of 2024 is disposed of.

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.)