

07.05.2024
Sl. No.24
g.b.
Court No.14

W.P.A. 26761 of 2023

Biswamitra Rice Mills (P) Ltd.
-Vs-
The State of West Bengal & Ors.

Mr. Syed Shamsul Arefin
... for the petitioner
Ms. Jhuma Chakraborty
Ms. Arpita Mondal
.....For the State

Report filed on behalf of the State is taken on record.

Learned counsel for the petitioner submits as follows. The private respondents are rank outsiders who were disturbing the peaceful possession of the petitioner of his property. This is being done in violation of the civil court's order whereby the defendants were restrained from interfering with the peaceful possession of the property.

Learned counsel appearing on behalf of the State relies on the report filed today and submits that on the complaint of the petitioner, steps have already been taken and proceedings have been initiated under Section 107 of the Code of Criminal Procedure. The police are keeping a close watch on the developments of the locality.

Enquiry revealed that there are approximately 10 to 12 families who used the metal road that was purchased by the rice mill. The road had been used by the farmers of nearby paddy field for their cultivation work.

It does not appear that notice could be served upon the private respondents.

Be that as it may, it appears that the police have already taken steps on the complaint of the petitioner by

initiating proceeding under Section 107 of the Code of Criminal Procedure.

Therefore, no further order need be passed in this regard.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and see to it that no order of civil court is violated.

With these observations, the writ petition is disposed of.

Since no affidavits have been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)