

**WPA 27049 of 2023**

Bapan Mudi & ors.  
-vs-  
The State of West Bengal & ors.

Mr. Sarbananda Sanyal  
..for the petitioners  
Mr. Pronojit Roy  
Mr. Ashutosh Mondal  
...for the respondent nos. 6 to 12  
Mr. Sk. Md. Galib  
Mr. Abu Siddique Mallik  
..for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners had purchased the property in question and thereafter had been possessing the same. The private respondents who are rank outsiders are trying to disturb the petitioners' possession in order to extract money. All these have been brought to the notice of the police authorities, but no effective steps have been taken.

Learned counsel appearing on behalf of the private respondent nos. 6 to 12 denies the allegations and submits as follows. The private respondents are the bargadars in the land in question. However, their names have not been

recorded as bargadars as of now. A proceeding has been initiated for the same and an inspection has also been done.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. A civil dispute exists between the private parties. However, there are also criminal cases and counter cases pending between them. Charge sheets have been submitted on the FIRs lodged at the behest of the petitioners.

It appears that there is a civil dispute pending between the private parties. However, as of now, the petitioners' names are recorded as owners while the private respondents have only made an application for having their names recorded as bargadars in respect of the land.

If any of the parties wants to establish any further right in respect of the property, the same has to be done before a Civil Court and or Tribunal and not by use of brute force.

It also appears that the police have taken some steps by registering FIRs and submitting charge sheet. They have also initiated a proceeding under Section 107 of the Code.

In view of the above, the police authorities shall keep a sharp vigil at the locale , ensure that no breach of peace takes place and see to it that no order of a Court is violated.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Jay Sengupta, J.)**