

D/L60
23.12.2024
Bpg.
ct.no.35

W.P.A.28491 of 2024

**Badal Chandra Dolai
Versus
The State of West Bengal & Ors.**

Mr. Tanmay Chowdhury
Mr. Aninda Bhattacharya
Ms. Ritoprita Ghosh.
...for the petitioner.

Ms. Sonal Sinha
Mr. Saptak Sanyal.
...for the State.

Mr. Gour Barar Sau
Mr. Arshad Hussain.
...for the private respondent nos.7 to 10.

Affidavit of service filed by the petitioner be kept with the record.

Further report submitted by the State pursuant to the order dated 19.12.2024 reflects that the police authorities conducted an enquiry and to that effect, they found that no incident of attack with deadly weapon or physical assault occurred on the said day. Petitioner is aggrieved by the said finding of the police authorities.

Learned advocate for the private respondents disowns any incident and further submits that the nature of the dispute is relating to land and is a civil dispute, further civil suit is pending.

In view of the police authorities not agreeing to the nature of the allegations as was submitted in the information dated 28.09.2024 with the Superintendent of Police, Paschim Medinipur and the Officer-in-Charge, Pingla Police Station, I grant liberty to the petitioner to approach the jurisdictional court in case he has further document to place before the concerned court, the jurisdictional criminal court will assess regarding the correctness of the allegations and thereafter proceed in accordance with law, if required by passing necessary directions upon the police authorities. The police authorities would keep a strict vigil and ensure that no breach of the peace takes place at the locale.

With the aforesaid observations, WPA 28491 of 2024 is disposed of.

There will be no order as to costs.

Further report submitted by the State be kept with the record.

As no affidavits have been called for from the State-respondents and the private respondents, the accusations made in the writ petition are deemed not to have been admitted.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)