

Court No. 35
(265777)

23.12.2024

(AD 95)

(S. Banerjee)

WPA 30127 of 2024

Abu Jaher Mandal & Ors.

Vs.

State of West Bengal & Ors.

Mr. Manas Kumar Das

Mr. Asraf Mandal

Mr. Tushar Sil

Mr. Tanbir Mandal

...for the petitioners

Mr. Suman Ghosh

Mr. Dwaipayan Basu Mallick

...for the State

Mr. Mohaimenul Mondal

Ms. Debranjana Sen

...for the respondent nos. 8 to 10

Let the affidavit of service filed in court today be kept with the record.

Petitioners are aggrieved by the fact that in spite of the order dated 20.09.2024 passed in Title Suit No. 159 of 2022, the Officer in Charge, Thanarpara Police Station is not acting for implementing the order passed by the learned Civil Judge (Jr. Division), Tehatta.

Mr. Ghosh, learned advocate for the State, submits that the land is not demarcated and there are seven plots which are in dispute. Police authorities have already taken steps and as such drawn up proceeding under Section 126 BNS.

However, the plight of the petitioners remains as in spite of the order passed by the learned Civil Court, they are suffering.

Learned advocate for the State has assured the Court that in respect of the seven plots, the private respondents are not entering though they claim to be in possession of the same.

In view of the contentions advanced by the State before this Court, as the learned Civil Judge is in seisin of Title Suit No. 159 of 2022, where in specific directions have been passed, I direct the police authorities to submit a specific report before the concerned civil Court on the next date so fixed.

In the meantime, police authorities would keep a strict vigil over the locale to ensure that no breach of peace takes place and the private respondents abide by the report submitted before this Court.

With the aforesaid observations, WPA 30127 of 2024 is disposed of.

Report so submitted be kept with the record. Copy of the report be handed over to the learned advocate for the petitioners.

(Tirthankar Ghosh, J.)