

Item No.78
23.12.2024
Court. No. 35
GB

WPA 29869 of 2024

Golam Sekh
VS
The State of West Bengal & Ors.

*Mr. Manas Kumar Das,
Mr. Asrat Mandal,
Mr. Tushar Sil,
Mr. Tanbir Mandal*

...for the Petitioner.

*Mr. Ashim Kumar Ganguly,
Mr. Tarak Karan*

...for the State.

Mr. Abdul Aziz Mondal

...for the Respondent Nos.9 to 12 & 15.

Affidavit-of-service filed on behalf of the petitioner is kept with the record.

The petitioner claims himself to be the owner of the land and is unable to cultivate because of the disturbance and/or hindrance created by the private respondents, who are unnecessarily demanding money from the petitioner to cultivate on his own land. To that effect the petitioner has already lodged a complaint with the police authorities but the police authorities till date have not taken any action. As such, the petitioner is aggrieved and approached this Court.

Learned advocate for the respondent nos.9 to 12 and 15 submits that they are only simple villagers who have been falsely implicated in connection with the instant case for reasons best known to the petitioner.

Learned advocate for the State submits a report. The report reflects that the police authorities have already taken steps by drawing up proceedings under Sections 163 and 126 of the BNSS.

In view of the petitioner apprehending that there may be threat of his life and property, police authority would keep a strict vigil and ensure that no untoward incident takes place. The petitioner would also be at liberty to approach the jurisdictional court under the relevant provisions of law, in case they feel that certain cognizable and/or non-cognizable offence has been created at the behest of the private respondents.

With the aforesaid observations, WPA No.29869 of 2024 is disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the learned advocates for the petitioner.

Parties are directed to act on the basis of the server copy of this order.

(Tirthankar Ghosh, J.)