

19.07.2024
Item No.17
Ct. No.35
dc.

W.P.A. 8288 of 2020

**Manoranjana Samanta & Anr.
versus
The State of West Bengal & Ors.**

Mr. Soumen Kumar Dutta,
Mr. Subham Dutta

... For the Petitioners.

Mr. Ayan Banerjee,
Mr. Dhiman Banerjee

... For the State.

Mr. Dyutiman Banerjee,
Mr. Vishal Mallick

... For the Respondent No. 5.

The petitioners approached this Court being aggrieved by the inaction of the police authorities in spite of directions being passed and the petitioners having title over 11 decimals of a pond while the private respondent no.5 is having share to the extent of 2 decimals. Without going into the rights of the parties and the title which the civil court would decide, I find that in the present writ petition by an order dated 17.11.2020, the co-ordinate Bench at the time of admission of the writ petition, inter alia, was pleased to pass the following directions :

“The respondent nos. 3 and 4, being the Superintendent of Police, Purba Medinipur and the Officer-in-Charge, Junput Coastal Police Station, Purba Medinipur are also directed to ensure that the private respondent no.5,

namely, Adhir Kumar Samanta does not interfere with the possession of the petitioners in respect of the said pond situated at Plot No. 856, Mouza Nayaput till disposal of the writ petition.”

The aforesaid order initially passed on 17.11.2020 is hereby made absolute. Both the parties are directed to abide by the aforesaid decision.

The State-respondents will be bound by the directions passed by this Court, so far as maintainability of peace and tranquility is concerned, in addition to the interference in respect of possession of one against the other is concerned.

With the aforesaid observations, WPA 8288 of 2020 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)