

07.02.2025
Item No.26
Ct. No.35
dc.

W.P.A. 2021 of 2025

**Dilip Kumar Giri & Anr.
versus
The State of West Bengal & Ors.**

Mr. Biswajit Sau ... For the Petitioners.

Mr. Nilotpal Chatterjee,
Ms. Munmun Ganguly ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioners.

The petitioners complain that the private respondent no.3 is trying to forcefully cultivate and harvest the paddy in the land belonging to the petitioners. To that effect, the police authorities have been informed, but in spite of informing the police authorities, no effective steps have been taken and the private respondent is carrying on his illegal purpose of resisting the petitioners both in respect of cultivation and harvesting.

State has submitted a report which reflects that an ongoing dispute exists between the petitioners and the private respondent no.3 herein relating to the plots which have been referred to in the writ petition. The police authorities in order to control the law and order situation has drawn up proceedings under Section 126 of BNSS against the

respondent no.3 herein. Having regard to the fact that the police authorities responded to the information furnished to them by the petitioners, I am of the view that there has been adherence in the action of the police authorities so far as law is concerned.

The petitioners would be at liberty to approach the appropriate authorities or the jurisdictional court, if there is any dispute regarding demarcation and/or possession of the disputed plots in question.

In case any authority or the court passes any direction, the police authorities would respect, obey and would be bound by the orders so passed.

In the meantime, the police authorities would keep a strict vigil and ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the petitioners and the private respondent no.3.

With the aforesaid observations, the writ petition being WPA 2021 of 2025 is disposed of.

There will 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.)