

Sl.No.

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Court

No. 35

G.S.Das

06.02.2025

WPA 2045 of 2025

Sombari Hembram & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Dilip Kr. Sadhu

... for the petitioner(s)

Mr. Susovan Sengupta, Id. Sr. Adv.

Mr. Tarak Karan

... for the State-respondent(s)

The petitioners claim to be the owner of the land where they have been carrying on their cultivation which is resisted by the private respondents.

To that extent, the petitioners have already informed the concerned police station on 26th November, 2024, wherein, she alleged that when she along with her associates and some labourers had been to her land for the purposes of cultivation, the respondent nos. 8 to 10 along with some unknown persons forcibly entered their land with sticks and bamboos, abused them with filthy languages as also assaulted them and,

finally, driven them out from the said land. They were also threatened with dire consequences.

State has submitted a report before this court prepared by the Officer-in-charge of Gurguripal Police Station, Paschim Medinipur which reflects that an enquiry was conducted, wherefrom, it revealed that the petitioners along with some local people and the private respondents intend to amicably resolve the dispute but, there was no fruitful result.

Having regard to the fact that the police authorities have disowned the contentions raised by the petitioners in the information so furnished, I grant liberty to the petitioners to approach the jurisdictional Magistrate by invoking the relevant provisions of law. The learned Magistrate would assess regarding the accusations, thereafter, decide whether any case has been made out for investigation and/or for issuance of process or, for that purpose,

it would be the discretion of the learned Magistrate to decide whether any offence has been made out or not and by adhering to the provisions of law exercise his/her discretion.

It has also been pointed out that a Title Suit being TS 141 of 2015 is pending between the parties before the learned Civil Judge (Jr. Division), Paschim Medinipur.

In view of the aforesaid fact that the disputes are there, the police authorities would continue to keep a strict vigil and ensure that no breach of peace and tranquility takes place at the locale.

With the aforesaid observations, WPA 2045 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

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

the petitioners.

Parties to act on a server copy of this
order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)