

D/L 166
25.02.2025
Bpg.
ct.no.35

W.P.A.3466 of 2025

**Ajit Kumar Samanta
Versus
The State of West Bengal & Ors.**

Mr. Shahan Shah
Mr. Soumen Barman
Mr. Sk. Abumusa.
...for the petitioner.

Mr. Somnath Ganguli
Ms. Sangeeta Roy.
...for the State-respondents.

Mr. Radhasyam Maiti
Mr. Manoranjan Jana.
...for the respondent nos.4 to 8.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner informed the police authorities that he is subjected to threats and obstructed during cultivation by the private respondents and it has been alleged that the private respondents have threatened to the extent that they would murder and suffer imprisonment, still they will not spare the petitioner from enjoying his property. Petitioner was anxious for himself and his family members as he has been deterred from cultivating. To that effect, he required immediate assistance of the police, however, police failed to render any protection.

Learned advocate for the private respondents submits that no cause of action has been created and

the writ petition is premature and liable to be dismissed.

Learned advocate for the State has submitted a report. Report reflects that the police authorities have been vigilant and on receipt of the information they have already taken steps for maintaining peace so that no untoward incident takes place. It is also reflected in the report that the petitioner gave a declaration on 19th February, 2025 before the Officer-in-Charge, Namkhana Police Station that he cultivated the landed property peacefully and also got back his possession of the landed pathway.

Having considered that the present complaint has been filed with the police authorities only on mere apprehension, I direct that the police authorities would act only if situation so demands. However, they would continue to keep their surveillance and ensure that no breach of the peace or tranquility takes place and/or any untoward incident results because of the strained relationship between the parties.

With the aforesaid observations, WPA 3466 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both the parties.

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

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

(Tirthankar Ghosh, J.)