

25.02.2025
Court No. 35

Item No.11
Rakib

W.P.A. 4398 of 2023
Shyamali Manna & Anr.
VS
The State of West Bengal & Ors.

Mr. Gulam Mustafa,
Mr. Samirul Sardar
... for the Petitioners.
Mr. Subir Sabud.
...for Respondent nos.6 to 11
Mr. Lalit Mohan Mahata, Ld. AGP.,
Mr. Ziaul Haque.
... for the State.

Petitioners are aggrieved by the fact that inspite of information being furnished to the police authorities regarding the atrocity inflicted by the private respondents, no action has been taken. To that effect information was furnished on or about 31.01.2023, however, the private respondents continued their illegal activities and encroached the property of the petitioner, on being resisted the petitioners were attacked with sticks, bamboos and other weapons.

Learned advocate for the State submits a report. Report reflects that on receipt of the information of Mahishadal PS Case no. 362/22 dated 28.10.2022 was registered for investigation. Subsequently, charge-sheet has also been submitted in connection with the said case. Another case was also registered being Mahishadal PS Case no. 110/23 dated 18.02.2023.

Learned advocate for the private respondent nos. 6 to 11 opposes the contentions advanced by the petitioners

and submits that the family disputes are represented in such a fashion that the police authorities are interfering in an unwarranted manner.

I have considered the submissions of the respective parties and I am of the view so far as the demarcation of the property and the issue relating to cultivation is concerned the Civil Court will decide the right, title and interest of the property and usage of the land.

For the time being police authorities would keep a strict vigil and would ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 4398 of 2023 is disposed of.

Report submitted by the State be kept with the record.

A copy of the report be handed over to both the parties.

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.)