

Sl.No.
85
Court
No. 35
G.S.Das

08.04.2025

WPA 6356 of 2025

Subrata Dutta
-Vs-
The State of West Bengal & Ors.

Mr. Pintu Karar
Mr. Sabab Uddin Laskar
Mr. S. Roy
... for the Petitioner(s)
Mr. Santanu Kumar Mitra, Id. Sr. Govt. Adv.
Ms. Anandamoni Ghosh
... for the State-respondent(s)

The petitioner is aggrieved by the fact that he is being illegally obstructed, physically assaulted and threatened by the respondent no.5 over a land dispute.

The petitioner further alleges that since his labours were assaulted and consequently injured, the petitioner presently is unable to cultivate his own land. To that effect, the petitioner has informed Jagatballavpur Police Station, but, till date, the police station refused to take any action.

So far as the right, title, interest

and possession of the land is concerned, the civil court would be the appropriate authority to decide the same.

State has submitted a report which reflects that there is a dispute between the sharecroppers.

So far as the issue relating to physical assault and injuries are concerned, the petitioner would be at liberty to approach the jurisdictional Court under Section 175(3) of the BNSS. The learned Magistrate would assess as to whether any cognizable offence is made out as also ascertain whether any case for investigation is made out, thereafter, pass necessary directions in accordance with law.

I find from the report that the police authorities have been keeping a strict vigil, they would continue their surveillance and ensure that no breach of the peace and/or tranquility takes place as

also no untoward incident resulting because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 6356 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 petitioner.

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.)

