

02.07.2025
Court No. 35
Item No.37
Rakib

W.P.A. 8259 of 2024

Narayan Das.
VS
The State of West Bengal & Ors.

Mr. Jyoti Prakash Chatterjee,
Ms. Snehaa Sanyal.
...for the Petitioner

Mr. Debangshu Dinda.
...for the State.

Mr. Anirdam Chattopadhyay,
Ms. Lipika Chatterjee,
Mr. Soumik Dey,
Mr. Saikat Pal.
...for Respondent nos. 5 to 9.

Supplementary affidavit filed by the petitioner be
kept with the record.

Petitioner and the private respondents are involved
in a land dispute amongst themselves and to that effect
both the parties allegedly have acceded their authority
and as such two criminal cases have been registered
being Chakdah Police Station case no. 250/23
(complainant - Anna Das, wife of late Nidhir Das) and
Chakdah Police Station case no. 269/24 (complainant -
respondent no.5). In both the cases the police authorities
after conclusion of investigation have submitted charge-
sheet before the respective jurisdictional Court.

So far as the maintenance of law and order is
concerned, I find also there are cases under Sections
107/116(3) of the Cr.P.C. in the years 2023 and 2024.

Petitioner has filed a supplementary affidavit wherein prayer was advanced for implementing the order passed under Section 133 of the Cr.P.C. by the Executive Magistrate in M.P. Case no. 65/2024. Although, the writ Court do not intend to interfere but the report of the police authorities reflect that the same has been effected, and a General Diary Entry of Chakdah Police Station has been enclosed in the report.

I am of the view that the steps which have been taken by the police authorities have been in consonance with law. The private respondents also earlier filed writ petition being WPA 7018 of 2025. The said writ petition also related to issues regarding demarcation of land and the dispute with the present petitioner, as such this Court did not interfere and granted liberty to respondent no.5 to approach the jurisdictional Civil Court.

Be that as it may, the nature of the prayers now being advanced verbally after deviating from what has been pleaded in the main writ petition, I am of the view that as the police authorities have already exercised their powers which were directed by the learned Executive Magistrate and the dispute and difference between the petitioner and the respondent no.5 still continues, petitioner if so advised would approach the jurisdictional Civil Court for appropriate remedies. Police authorities would continue their surveillance and would oversee that

no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 8259 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

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.)