

Sl.No. 23 28.04.2025
Court No. 35
G.S.Das

WPA 7816 of 2025

Raju Kirtania & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Dipanjan Bhattacharya
... for the Petitioner(s)
Mr. K. J. Yusuf, Id. AGP
Ms. Munmun Gangly
... for the State-respondent(s)
Mr. Partha Pratim Ray
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
... for the private respondent nos. 8&9

The petitioners have approached this Court as his representation dated 17.03.2025 was not considered by the police authorities.

The petitioners claim that the respondent no.8 is not a citizen of India. He was impersonated before the SDL&LRO, thereafter, an order was obtained. According to the petitioners, the property which has been referred to in the writ petition was never the property of the private respondents. Yet, they have been able to establish their right by way

of deception before the concerned authorities. The petitioners apprehend that certain government officials are associated with the private respondents.

State has submitted a report which reflects that a title suit being T.S. 269 of 2024 is pending before the learned Civil Court between the petitioners and the respondents.

It is also reflected that O.A. 810 of 2025 is also pending before the 4th Bench, WBLRTT. On 04.04.2025, after hearing, subsequent date has been fixed on 05.05.2025. The preliminary enquiry has also been conducted by the police authorities.

Prima facie, it seems that the petitioners and the private respondents happen to be relations.

Learned advocate for the respondent nos. 8 and 9 submits diametrically opposite to what the

petitioners have submitted regarding registration of the name in the record of rights and, subsequently, alteration of the same by way of an application before the competent authority.

So far as the issue relating to land is concerned, the police authorities are not empowered to decide regarding the right, title and interest of the property, the same would be considered by the concerned Tribunal and/or the learned Civil Court which is already *in seisin* of the issues.

Further, so far as the accusation in relation to complicity of the private respondents with the government officials for alteration of the name, as has been alleged by the petitioners, is concerned, if the petitioners have documents in their possession, they would approach the jurisdictional Magistrate under the relevant provisions of law. The learned Magistrate would, in such circumstances, assess

regarding the correctness of the accusation as to whether any cognizable offence is made out as also ascertain whether any case for investigation is made out, thereafter, pass necessary directions/orders as it thinks fit and proper.

With the aforesaid observations, WPA 7816 of 2025 is disposed of.

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

Report so submitted be kept with the record.

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.)

