

D/L 24
29.04.2025
Kausik
ct.no.35

W.P.A. 8045 of 2025

**Sarsuna Janakalyan Samity & Anr.
Versus
State of West Bengal & Ors.**

Mr. Sudip Ghosh
Mr. Dilip Kumar Maiti
Mr. Bidish Ghosh

...for the petitioners.

Mr. Srijan Nayek
Mr. Anindya Sundar Chatterjee

...for the K.M.C.

Mr. K.J. Yusuf, AGP
Mr. Parikshit Goswami

...for the state.

Petitioner has approached this court being aggrieved by the representation which was served to the Office of the Deputy Commissioner on 03.04.2025 and the copy of the same being sent to the Officer-in-charge of Sarsuna Police Station. Petitioner's grievance is that petitioner earlier sent a communication to the Executive Engineer Borough 14, Kolkata Municipal Corporation as well as the Chairman of the said borough in respect of the land belonging to them which they claimed to be as Mouza – Sarsuna, J.L. No. 17, Touzi No. 58, 63, Re. Sa. No. 486, C.S. Dag No. 1768, 1793, 1768/1868,

R.S. Khatian No. 1350, C.S. Khatian No. 1381. To such letter dated 08.10.2024 it was replied by the Executive Engineer of the Drainage Department, KMC wherein it was responded that no such scheme of construction of drainage pumping station at the play ground of Sarsuna Janakalyan Samity was to be processed by the said department. Petitioner now claims that the padlock of that property was broken at the behest of two private respondents. The police authorities have exceeded their jurisdiction and entered and affixed certain iron beams at the land in issue.

Learned advocate appearing for the State has submitted a report prepared by the Inspector of Police, Sarsuna Police Station wherein it is contended that in respect of plot no. 1793 and 1768 under Mouza Sarsuna locally known as Keyatala Math a joint inspection was carried out by the Assistant Director of BL & LRO, Kolkata along with the Director General Project, K.E.I.I.P/KMC. In order to avoid any untoward incident huge police contingent was requisitioned and the same is enclosed by way of Annexure - P3 which was approved by the Joint Commissioner of Police Headquarters, Kolkata on 01.04.2025. Accordingly, on 02.04.2025 a joint inspection was held and

survey was carried out in the said two plots peacefully.

In view of the police authorities having acted under the directions of the Superior Officers and for and on behalf of the KMC and the BL & LRO, I am of the view that no excesses were inflicted by the police authorities as complained of since from the police report it is transparent that police authorities entered the aforesaid plot nos. 1793 and 1768. There has been no denial from the police authorities that they did not enter the said property. Since the purpose for which the police authorities have entered are associated with government departments and statutory authorities, I am of the view that no culpability can be attached to the police action as complained of by the present petitioner. If there are other disputes relating to the plot in question and its ownership, the same is to be decided by the appropriate forum which is not within the domain of this court.

With the aforesaid observations WPA 8045 of 2025 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)