

Sl.No. 37 18.02.2025
Court No. 35
G.S.Das

WPA 10179 of 2024

Gurupada Jana
-Vs-
The Officer-in-charge of Patashpur Police
Station & Ors.

Mr. Sk. Anwar Ali
... for the petitioner(s)

Mr. Sougata Mitra
Mr. Somnath Ghosh
... for the State - respondent(s)

Mr. Kamal Mishra
Mr. Pratap Sanfui
... for the respondent nos.8-23

The petitioner is aggrieved by the fact that the private respondents, in order to grab his property, have subjected him to assault and social boycott, imposed fine and also inflicted injuries upon him.

The situation is such that, according to the petitioner, he cannot enter his own property.

Learned advocate for the private respondent nos. 8 to 23 submits that they have been implicated in the case and the petitioner is trying to usurp the jurisdiction

of this Court for satisfying his illegal demands.

State has submitted a report, which reflects that the police authorities, as and when they have received the information, have drawn up a proceeding under Section 107 of the Cr.P.C.

In so far as the accusations of assault, imposition of fine and infliction of injuries are concerned, the petitioner is granted liberty to approach the jurisdictional Magistrate by way of taking out an appropriate application under Section 175(3) of the BNSS. The learned Magistrate after assessing and ascertaining if is of the opinion that any direction is to be passed, he/she will direct the superior officer of police to monitor the case in respect of the accusations made by the petitioner.

So far as the issue relating to title and usages of the land is concerned,

until and unless direction(s) is/are passed by the appropriate authorities, the police authorities will not interfere with the same.

So far as the petitioner's claim to the extent that he cannot enter his property is concerned, in case, the petitioner is unable to enter his property, he will report to the concerned police station and the police authorities would ascertain whether his residence is situated within the jurisdiction, thereafter, ensure that the petitioner is not disturbed while entering and staying at his own residence.

The police authorities would also oversee that no breach of the peace and tranquility takes place as also no untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

With the aforesaid observations, WPA 10179 of 2024 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.)