

08.05.2025
Item No.314
Ct. No.35
dc.

W.P.A. 9588 of 2025

**Sri Hiralal Pitari @ Chakraborty & Ors.
versus
State of West Bengal & Ors.**

Mrs. Usha Maity,
Ms. Anita Khatri ... For the Petitioners.

Mr. Swapan Banerjee, AGP,
Mr. Diptendu Narayan Banerjee ... For the State.

Mr. Siddhartha Sarkar ... For the Respondent Nos.7 to 13.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocates appearing for the petitioners and the respondent nos. 7 to 13.

The petitioners are aggrieved by the fact that in spite of informing the police authorities, no steps have been taken. Although FIR has been registered being Debra P.S. Case No. 49/2025 dated 17.01.2025, yet the petitioners are unable to enter their property and also harvest the land.

Learned advocate appearing for the respondent nos. 7 to 13 submits that on the basis of information furnished at the behest of the private respondents, Debra P.S. Case No. 225/2025 dated 27.03.2025 has been registered for investigation. A title suit being T.S. No.380 of 2024 has also been filed by the private respondents. Attention of the

Court has also been drawn to the order dated 12.09.2024 passed in W.P.A. (P) 373 of 2024 wherein the Hon'ble Division Bench of this Court has been pleased to pass the following directions :

“5. The learned Civil Judge (Senior Division), 2nd Court, Paschim Midnapore has granted an order of *status quo* by order dated 3rd August, 2024. Thus, the petitioners claiming to be villagers having moved the Civil Court for necessary relief in which they have also questioned the action of the Block Land & Land Reforms Officer being illegal, the petitioners should pursue the remedy available before the Civil Court and at this juncture, we cannot entertain this public interest litigation.”

The report of the State also reflects regarding the strained relationship between the parties. Having considered the same and also taking into account that there are criminal cases registered both at the behest of the petitioners and the private respondents and a civil suit is also pending, I am of the view that the police authorities would only oversee that no breach of the peace or tranquility takes place at the locale and/or any untoward incident results because of the strained relationship existing between the petitioners and the private respondents.

With the aforesaid observations, the writ petition being WPA 9588 of 2025 is disposed of.

There will be no order as to costs.

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.)