

07.07.2025
Item No.20
Ct. No.35
dc.

W.P.A. 10909 of 2025

Chandi Rani Panda & Ors.
versus
The State of West Bengal & Ors.

Mr. Koustav Bagchi,
Mr. Anup Dasgupta ... For the Petitioners.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh ... For the State.

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 advocate appearing for the petitioners.

The petitioners are aggrieved by the fact that the private respondents are forcefully cultivating and harvesting in the land of the petitioners. To that effect, petitioners being compelled, approached the learned Executive Magistrate wherein directions were passed for not to disturb the peaceful possession of the petitioners and harvesting the crops of the schedule land.

Be that as it may, it is not the duty of the Executive Magistrate to decide the possession in respect of a property, although the State has submitted a report categorically stating that the right of the private respondents so far as the suit property is concerned, is not established and there are no documents in possession of the private

respondents. Report also reflects that title suit being T.S. No. 137/2025 has been filed by Nityananda Pramanik before the learned Civil Judge (Junior Division), 2nd Court, Contai.

Having considered the nature of the dispute, I am of the view that the police authorities would only be able to act pursuant to a direction passed by appropriate court of law so far as the right, title and interest of the suit property is concerned. Police authorities would keep surveillance and ensure that no untoward incident results because of the strained relationship existing between the petitioners and the private respondents.

Petitioners, if so advised, would approach the jurisdictional civil court for appropriate remedies. In case directions are passed by the civil court, the same be implemented by the police authorities.

With the aforesaid observations, the writ petition being WPA 10909 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.)