

D/L 39
18.02.2025
Kausik
ct.no.35

W.P.A. 12112 of 2024

**Nandita Das (Roychowdhury) And Anr.
Versus
State of West Bengal & Ors.**

Mr. Mrinal Kanti Ghosh
Mr. Chandra Nath Sarkar

...for the petitioners.

Mr. K.J. Yusuf, AGP
Mr. Sourav Chowdhury

...for the state.

Affidavit of service filed be kept with the record.

Learned advocate for the petitioner claims that the private respondents have prepared fake documents and are trying to grab the property of the petitioner. The private respondents further according to the petitioner are not only encroaching and trying to grab the property of the petitioner but are creating unnecessary disturbance and obstruction to the enjoyment of the property.

To that effect, the petitioners have informed the police station, particularly with regard to the manufactured document being prepared at the behest of the private respondents. However, the police authorities did not take any action.

Learned Additional Government Pleader appearing on behalf of the State submits that both the petitioners and the respondents are claiming the plots of land to be their own. However, the police authorities on circumstances where there were breach of peace and tranquility drew up proceedings under section 107 of the Code of Criminal Procedure and also sent communications to the BL & LRO concerned.

Be that as it may, petitioner's one of the contentions has a serious ramification as the petitioner claims that the document of his property has been forged and manufactured by the private respondents and with the aid of the same they are trying to establish their authority over the property.

Petitioner would be at liberty to approach the jurisdictional Magistrate by invoking the provisions of section 175(3) of the BNSS. Learned Magistrate would assess and ascertain regarding the genuinity of the accusations and thereafter pass necessary directions upon the police authorities by exercising his discretion. In the meantime, police authorities would continue to keep strict vigil and would ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 12112 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over 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.)