

13.02.2025
Court No. 35

Item No.11
Rakib

W.P.A. 14413 of 2024

Ramesh Mondal @ Ramesh Mandal.
VS
The State of West Bengal & Ors.

Mr. Kalidas Saha,
Mr. Arijit Chatterjee,
Mr. Sanjib Adhikary,
Ms. Susmita Mukherjee.
... for the Petitioner.

Mr. Barun Kumar Samanta
... for Respondent nos.9 to 13.
Mr. Wasim Ahmed,
Mr. M. Shahabuddin.
... for the State.

Petitioner is aggrieved by the fact that his representation dated 30.03.2024 was not considered by the police authorities. Petitioner submits that in spite of Civil Court's orders existing the private respondents have exerted their influence and converted the land to their own advantage.

Learned advocate for the State has submitted a report. Report reflects that as and when the police authorities were informed, police authorities have taken steps by drawing up proceedings under the relevant provisions of law.

Learned advocate for the private respondent nos.9 to 13 is represented and submits that the accusations so made in the writ petition are for creating a fresh cause of action and for establishing dominance. None of the issues which have been

canvassed in the writ petition have any relevance for the police to interfere with.

Having considered that the petitioner is claiming the police authorities to act on the basis of Civil Court's order and the police authorities have contended in their report that the petitioner failed to produce any valid document with regard to the orders of the learned Civil Court, I am of the view that the police authorities have acted inconsonance with their powers. If there are orders petitioner would be at liberty to produce before the police authorities of Mothabari Police Station, Malda, West Bengal. Police authorities will assess regarding such orders and directions imposed upon them then only they would act in accordance with law.

With the aforesaid observations WPA 14413 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to the respective parties.

Needless to state that since no affidavit has been used by the respondents the accusations made in the writ petition are deemed not to have been admitted.

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.)