

20.03.2025
Item No.42
Ct. No.35
dc.

W.P.A. 14750 of 2024

Sudhir Kumar Bhuiin
versus
The State of West Bengal & Ors.

Mr. Arup Kundu

... For the Petitioner.

The petitioner is aggrieved by the fact that in spite of informing the police authorities on or about 22.04.2024 that the miscreants have forcefully occupied his land in spite of earlier decree passed by the civil court and the police authorities on being informed are not taking steps, the petitioner is compelled to approach this Court for appropriate remedies. The petitioner further complains that the private respondents have started cultivating his land again after the elections were over.

Be that as it may, the police authorities are not empowered until and unless specific directions are passed for taking steps in respect of evicting or dispossessing a person from his property. The petitioner would execute the decree which has been passed in his favour by approaching the jurisdictional civil court.

In the meantime, the police authorities would ensure 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 petitioner and the private respondents.

In spite of the same, if the petitioner is aggrieved, the petitioner would be at liberty to approach the jurisdictional Magistrate under Section 175(3)/Section 223 of BNSS. The learned Magistrate will assess as to whether any offence has been committed and pass direction by exercising his discretion.

With the aforesaid observations, the writ petition being WPA 14750 of 2024 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.)