

19.02.2025
Court No. 35
Item No.13
Rakib

W.P.A. 14892 of 2024
Smt. Sabri Das & Ors.
VS
The State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh.
... for the Petitioners.
Mr. Tarak Karan.
... for the State.

Affidavit-of-service filed by the petitioner be kept
with the record.

Petitioners are aggrieved by the illegal acts of the
private respondents, as inspite of judgment and decree
passed by the learned Civil Court the petitioners are
unable to cultivate their land and each time they
cultivates their land the same is harvested at the behest
of the private respondents. To that effect petitioners
informed the local police station, however the local police
station did not render any assistance.

Mr. Karan, learned advocate appearing for the
State has submitted a report. Report reflects that on
receipt of information police authorities recorded GD
Entry no. 114/2024 and proceedings were drawn up
under Section 107 of the Code of Criminal Procedure.

In view of the nature of the dispute complained of,
I am of the opinion that the petitioners should approach
the jurisdictional Civil Court for execution of the decree
and in case the concerned Civil Court passes any
direction upon the police authorities, the police

authorities would respect, obey and implement such order.

Needless to state that if the petitioners are aggrieved only of the fact that forcefully the crops which were cultivated by the petitioners were harvested and/or taken away by the private respondents, in that case petitioners would approach the jurisdictional Criminal Court by invoking the relevant provisions of law. The jurisdictional Criminal Court will assess regarding the genuinity of the accusations and pass necessary orders as it deems fit and proper.

In the meantime since the petitioners and the private respondents are at loggerheads, police authorities would keep vigil and ensure that no breach of the peace and/or tranquility takes place at the locale because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 14892 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 petitioners.

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.)