

30 23.07.2025

G.S.Das

Marjan Mondal
-Vs-
The State of West Bengal & Ors.

Mr. J. Bhattacharya
Mr. Hamidur Rahman ... for the Petitioner(s)
Mr. Somnath Ganguly, Id. AGP
Ms. Kalpita Paul ... for the State-respondent(s)

The petitioner and the private respondents are engaged for a considerable period of time over a land dispute. The petitioner claims that he is unable to cultivate his land as there has been constant threat, obstruction and interference at the behest of the private respondents. To that effect, informations are being furnished with the police authorities but the police authorities did not respond to the same which has made the private respondents adamant and they have attacked the petitioner which resulted in injuries.

State has submitted a report

which reflects that the police authorities conducted an enquiry in respect of the accusations so made by the petitioner and, thereafter, for maintaining peace and tranquility have drawn up a proceeding under Section 126 of the BNSS.

The petitioner's main prayer is for peaceful cultivation. So far as the right, title and interest of the property is concerned, the civil court is the appropriate authority to adjudicate the same. The police authorities would act in case specific directions are passed upon them by the learned civil court.

However, having regard to the prayers advanced, I direct that the police authorities would ensure that no breach of the peace and/or tranquility takes place as also no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations,

WPA 14439 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)