

D/L 14
06.02.2025
Kausik
ct.no.35

W.P.A. 16609 of 2024

**Malati Mahata & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Lal Ratan Mondal
Mr. Dilip Kumar Sadhu
Mr. Avik Kumar Das

...for the petitioner.

Ms. Ipsita Banerjee
Ms. Subhasri Chatterjee

...for the state.

Petitioners are aggrieved by the fact that in spite of they being the owner of the land and a decree being passed in their favour, they are unable to enjoy the property as the private respondents are obstructing in enjoyment of their peaceful possession.

State has submitted a report. Report reflects that enquiry has been conducted and an appeal is also pending before the learned District Judge, Paschim Medinipur which has been filed at the behest of the respondents.

Learned advocate for the petitioners insists that they were assaulted in the year 2019 when they intended to enter their property.

I find that such an incident of 2019 was informed to the police authorities by way of a

representation dated 15.05.2024. There is a delay of more than 5 years. Although there were earlier complaints of apprehension for being assaulted at the behest of the private respondents, but the accusations which have been made for physical harm being done are so hazy that it is difficult for the police to act on the same.

So far as the other issues are concerned, petitioners would approach the jurisdictional court for appropriate relief. Police authorities, in the meantime would keep a strict vigil and ensure that no breach of the peace and/or tranquility takes place.

With the aforesaid observations WPA 16609 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report without enclosures be handed over to 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.)