

Sl.No. 114 18.03.2025
Court No. 35
G.S.Das

WPA 20492 of 2023

Sunity Kumar Chakraborty & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Swapan Kr. Pal
... for the Petitioner(s)
Ms. Jhuma Chakraborty
Mr. Suddhadev Adak
... for the State-respondent(s)

Affidavit-of-service so filed be kept
with the record.

The petitioners are aggrieved by
the fact that the private respondents have
encroached upon their property and in
spite of informing the police authorities, no
steps have been taken.

The petitioners claim to be the
owner of the property which has been
encroached by the private respondents.

So far as the police authorities
are concerned, the report dated 30.08.2023
reflects that a case was registered being
Domkal P.S. Case No. 587 of 2021 dated

30.09.2021 and on conclusion of the investigation Domkal P.S. Charge-Sheet No. 725 of 2021 dated 28.11.2023 was submitted before the jurisdictional Court under Sections 447/506/34 of the IPC against the five accused persons.

The petitioners' further grievance is that for physically removal of the encroachment, the Civil Court is supposed to pass an order. If the petitioners approach the learned civil court and specific directions are passed upon the police authorities, the police authorities under those circumstances will put in their endeavour for removal of such encroachment.

So far as the police authorities are concerned, presently, they have already registered a case for trespass. The police authorities are directed to oversee that there is no breach of the peace and/or tranquility takes place as also no untoward incident resulting from

the strained relationship existing between the parties.

With the aforesaid observations, WPA 20492 of 2023 is disposed of.

Pending application, if any, is also disposed of.

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

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.)

