

17.04.2025
Item No.204
Ct. No.35
dc.

W.P.A. 20727 of 2023

**Paritosh Maity
versus
The State of West Bengal & Ors.**

Mr. Bhaskar Chandra Manna ... For the Petitioner.

Mr. Somnath Ganguli, AGP,
Mr. Subrata Guha Biswas ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in spite of informing the police authorities, no action has been taken. Records reflect that such information was furnished on or about June, 2023. Petitioner's main grievance is that the private respondents have been pursuing their illegal activities and have restrained the petitioner from peaceful enjoyment of his property. It is further alleged that the private respondents are trying to dispossess the petitioner.

State has submitted a report which reflects that the petitioner claimed himself to be a Bargadar in respect of certain plots of land, but he could not produce any records before the police authorities. However, because of the disputes and differences between the parties, several cases were filed before

the learned Executive Magistrate. An enquiry was also conducted by the police authorities. So far as the disputes and differences between the petitioner and the private respondents are concerned, the same relate to a land dispute. In view of the same, I am of the opinion that so far as the right, title, interest, possession, occupation and usage of a land is concerned, the civil court is appropriate forum for deciding such issues and the police authorities cannot interfere without a direction of the civil court. However, in case the police authorities or the present petitioner faces any inconvenience, 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.

With the aforesaid observations, the writ petition being WPA 20727 of 2023 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.)