

24.11.2025
Item No.16
Ct. No.1
Saikat
Mukherjee

WPA(P)/494/2025

**LAL BIHARI MAHATO AND ORS.
VS.
STATE OF WEST BENGAL AND ORS.**

Mr. Dhruba Mukherjee, Adv.
Mr. Sarwar Jahan, Adv.
Mr. Ajit Kumar Barman, Adv.

...For the Petitioners

Mr. Amal Kr. Sen, A.A.G.
Mr. Lal Mohan Basu, Adv.

...For the State

Per, Sujoy Paul, ACJ.:-

1. Affidavit-of-service filed is taken on record.
2. Mr. Dhruba Mukherjee, learned counsel for the petitioners.
3. Mr. Amal Kr. Sen, learned Additional Advocate General for the State respondent.
4. Learned counsel for the petitioners submits that this is fourth visit of the petitioners to this court. However, in previous round WPA(P) 546 of 2023 the Division Bench disposed of the matter to take a decision on the pending representation. Learned counsel for the petitioners by taking this court to the recommendation of Superintendant of Police (SP), District-Purulia dated 11th May, 2022, urged that in this recommendation, learned SP opined that the jurisdiction in relation to 11 Mouzas under Puara Gram Panchayat may be included in Tamna police station, which will be more convenient

for the administration. By criticising the rejection order dated 7th January, 2025, (Annexure-‘P/20’), learned counsel for petitioners submits that this recommendation has not been considered while taking decision by the Police Directorate. Thus, the impugned order is bad in law.

5. Learned Additional Advocate General, on the other hand, placed reliance on a police report dated 23rd November, 2025, prepared by SP, Purulia. It is further pointed out that this court while disposing of the earlier petition opined that the matter is essentially of ‘administrative in nature’ and police authorities must take decision in accordance with law. He also pointed out that the police authorities first established a police camp on 1st March, 2023, by providing extra police assistance/security to the residents of Puara Gram Panchayat and Chatuhansa Gram Panchayat. However, subsequently, said camp was upgraded and strengthened with more police force and officers and a police camp was established. For non-cognizable offences, the outpost can register the FIR. For cognizable offences, the outpost forwards the complaints to the Officer-in-Charge, Arsha police station through the police personnel.
6. We have heard the parties on this aspect.
7. After the recommendation of the SP dated 11th May, 2022, much water has flown in the rivers. Initially the department established a camp, which was upgraded as

police outpost. In the police outpost additional force is made available and facility to register FIR in non-cognizable offences in the way mentioned hereinabove is made available.

8. This court in the previous round itself made it clear that matter is administrative in nature. The apex police authorities, in our opinion, are best suited to decide as to where the police post/camp, etc. should be established. This court cannot sit in appeal on such administrative decision. Apart from this, in the report aforesaid it is pointed out that umpteen number of local villagers of same area to which present petitioners belong, opposed for shifting the benefit to Tamna police station because in their opinion, it will deprive them from getting the special benefits of 'Jungle Mahal'.
9. At the cost of repetition, in our opinion, the impugned order is administrative in nature and no case is made out for interference in the said order.
10. The PIL fails and is hereby **dismissed**.
11. No order as to costs.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)