

12.12.2025
rc/ct.no.05
Item No.03

WPA No. 27482 of 2025
Sri Himanshu Patra & Anr.
Versus
The State of West Bengal & Ors.

Mr. Arkadyuti Pahari
Ms. Gargi Maity
Mr. Alik Mandi ..for the Petitioners

Mr. S. P. Lahiri
Mr. Srikanta Palfor the State

Affidavit of service filed by the petitioners and reports submitted by the State are taken on record. Copy of the report is made over to the learned counsel for the petitioners in Court this day.

Learned counsel for the petitioners submits that the 2nd petitioner is the owner of the land in question and the petitioners have been cultivating the same since long. The private respondents are disturbing the possession of the petitioners in respect of the land and are restricting them from harvesting the crops. The petitioners lodged complaint before the police authority which has not been responded to.

Learned counsel for the State submits that pursuant to the complaint lodged by the petitioners, enquiry was held and it was found that there is a land dispute between the parties. The respondents filed an application under Section 163 of the BNSS before the learned Executive

Magistrate in respect of the land and by an order passed on June 19, 2025, the learned Magistrate directed the Officer in Charge, Marisda to enquire into the petition and submit a report and also to maintain peace and tranquility in the locality.

It appears that pursuant to the complaint lodged by the petitioners the police has submitted prosecution under Section 126 of the BNSS. The dispute between the parties is civil in nature. The petitioners are at liberty to approach the appropriate civil forum for redressal of their grievance.

In the meantime the police shall continue their surveillance in the area in order to avoid any untoward incident and to ensure maintenance of law and order.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)